

A R T I C L E S  
O F  
C H A R G E  
O F  
H I G H C R I M E S  
A N D  
M I S D E M E A N O R S,  
A G A I N S T  
WARREN HASTINGS, Esquire,  
LATE GOVERNOR GENERAL OF BENGAL;  
PRESENTED TO THE HOUSE OF COMMONS UPON THE TWEN-  
TY-SIXTH AND TWENTY-EIGHTH DAYS OF APRIL, 1786.  
B Y  
THE RIGHT HON. EDMUND BURKE.

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A B T I C L E 8

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# A R T I C L E S

O F

## C H A R G E, &c.

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N<sup>o</sup>. XVII.

Mahomed Reza Khân.

I. **T**HAT it was the declared policy of the Company, on the acquisition of the Duannee of Bengal, to continue the Country Government, under the inspection of the Resident at the Nabob's Durbar in the first instance, and that of the President and Council in the last; and for that purpose they did stipulate to assign, for the support of the dignity of the Nabob, an annual allowance from the revenues, equal to four hundred pounds a year.

II. That, during the Country Government, the principal active person in the administration of affairs, for rank, and for reputation of probity, and of knowledge in the revenues and the laws, was Mahomed Reza Khân, who, besides large landed property, was possessed of offices, whose emoluments amounted nearly, if not altogether, to one hundred thousand pounds a year.

IV. That the Company's servants, in the beginning, were not conversant in the affairs of the revenue, and stood in need of natives of integrity and experience to act in the ma-

nagement thereof. On that ground, as well as in regard to the rank which Mahomed Reza Khân held in the country, and the confidence of the people in him, they, the President and Council, did inform the Court of Directors, in their letter of the 30th of September 1765, that, "as Mahomed Reza Khân's short administration was irreproachable, they determined to continue him in a share of the authority;" and this information was not given lightly, but was founded upon an enquiry into his conduct, and a minute examination of charges made against him by his rivals in the Nabob's Court; they having insinuated to the Nabob, that a design was formed for deposing him, and placing Mahomed Reza on his throne; but, on examination, the President and Council declare, that "he had so openly and candidly accounted for every rupee disbursed from the Treasury, that they could not, without injury to his character, and injustice to his conduct, during his short administration, refuse continuing him in a share of the government."

V. That the Company had reason to be satisfied with the arrangement made, so far as it regarded him; the President and Council having informed them in the following year, in their letter of the 9th of December 1766, that "the large increase of the revenue must, in a great measure, be ascribed to Mr. Sykes's assiduity, and to Mahomed Reza Khân's profound knowledge in the finances."

VI. That the then President and Council, finding it necessary to make several reforms in the administration, were principally aided in the same by the suggestion, advice, and assistance of the said Mahomed Reza Khân; and, in their letter to the Court of Directors of the 24th of June 1767, they state their resolution of reducing the emoluments of office, which before had arisen from a variety of presents, and other perquisites, to fixed allowances; and they state the merits of Mahomed Reza Khân therein, as well as the importance, dignity, and responsibility of his station, in the following manner:

"Mahomed Reza Khân has now, of himself, with great delicacy of honour, represented to us the evil consequences that must ensue from the continuance of this practice; since, by suffering the principal officers of the government to depend for the support of their dignity on the precarious fund of perquisites, they in a manner oblige them to pursue oppressive and corrupt measures, equally injurious to the country and the Company; and they accordingly assigned twelve lack of rupees for the maintenance and support of the said Mahomed Reza Khân, and two other principal persons, who held in their hands the most important

“ portant employments of that government, having regard  
 “ to their elevated stations, and to the expediency of sup-  
 “ porting them in all the shew and parade requisite to keep  
 “ up the authority and influence of their respective offices,  
 “ as they are all men of weight and consideration in the  
 “ country, who held places of great trust and profit under  
 “ the former government. We further propose, by this act  
 “ of generosity, to engage their cordial services, and con-  
 “ firm them steady in our interests, since they cannot hope,  
 “ from the most successful ambition, to rise to greater ad-  
 “ vantages by any chance or revolution of affairs. At the  
 “ same time it was reasonable we should not lose sight of Ma-  
 “ homed Reza Khân's past services; he has pursued the Com-  
 “ pany's interest with steadiness and diligence; his abilities  
 “ qualify him to perform the most important services. The  
 “ unavoidable charges of his particular situation are great;  
 “ in dignity he stands second to the Nabob only;—and as  
 “ he engages to increase the revenues, without injustice or  
 “ oppression, to more than the amount of his salary, *and to*  
 “ *relinquish those advantages, to the amount of eight lacks of*  
 “ *rupees per annum*, which he heretofore enjoyed, we thought  
 “ it proper, in the distribution of salaries, to consider Ma-  
 “ homed Reza Khân in a light superior to the other Mini-  
 “ sters. We have only to observe farther, that great and  
 “ enormous as the sum must appear, which we have allotted  
 “ for the support of the Ministers of the Government, we  
 “ will not hesitate to pronounce that it is necessary and rea-  
 “ sonable, and will appear so, on the consideration of the  
 “ power which men employed on these important services  
 “ have, either to obstruct or promote the public good, un-  
 “ less their integrity be confirmed by the ties of gratitude  
 “ and interest.”

VII. That the said Mahomed Reza Khân continued, with  
 the same diligence, spirit, and fidelity, to execute the trust  
 reposed in him, which comprehended a large proportion of  
 the weight of government, and particularly of the collecti-  
 ons; and his attachment to the interest of the Company, and  
 his extensive knowledge, was again, in the course of the  
 year 1767, fully acknowledged, and stated to the Court of  
 Directors; and it farther appears, that by an incessant appli-  
 cation to business, his health was considerably impaired,  
 which gave occasion, in the year following, that is, in Fe-  
 bruary 1768, to a fresh acknowledgment of his services, in  
 these terms: “ We must, in justice to Mahomed Reza Khân,  
 “ express the high sense we entertain of his abilities, and of  
 “ the indefatigable attention he has shewn in the execution  
 “ of the important trust reposed in him; and we cannot but

“ lament

"lament the prospect of losing his services, from the present declining state of his health."

VIII. That as, in the increase of the revenue, the said Mahomed Reza Khân was employed as a person likely to improve the same, without detriment to the people, so, when the state of any province seemed to require a remission, he was employed as a person disposed to the relief of the people without fraud to the revenue; and this was expressed by the President and Council as follows, with relation to the remissions granted in the province of Bahar: "That the general knowledge of Mahomed Reza Khân, in all matters relative to the Duannee revenues, induced us to consent to such deductions being made, from the general state of that province at the last Poonah, as may be deemed irrecoverable, or such as may procure an immediate relief and encouragement to the ryots in the future cultivation of their lands."

IX. That the said Mahomed Reza Khân, in the execution of the said great and important trusts and powers, was not so much as suspected of an ambitious or encroaching spirit, which might make him dangerous to the Company's, then recent, authority, or which might render his precedence injurious to the consideration due to his colleagues in office; but, on the contrary, it appears that a plan having been adopted for dividing the administration, in order to remove the Nabob's jealousies, the same was in danger of being subverted by the ambition "of two of his colleagues, and the excessive moderation of Mahomed Reza Khân." And for a remedy of the inconveniencies, which might arise from the excess of an accommodating temper, though attended with irreproachable integrity, the President and Council did send one of their own members, as their deputy to the Nabob of Bengal, at his capital of Maxadavad; and this measure appears to have been adopted for the support of Mahomed Reza Khân, in consequence of an enquiry made, and advice given by Lord Clive, in his letter of the 3d of July 1765; in which letter, he expresses himself of the said Mahomed Reza Khân as follows: "It is with pleasure I can acquaint you, that the more I see of Mahomed Reza Khân, the stronger is my conviction of his honour and moderation; but that, at the same time, I cannot help observing, that either from timidity, or an erroneous principle, he is too ready to submit to encroachments upon that proportion of power that has been allotted him."

X. That the Nabob Jaffier Ali Khân dying in February 1765, Mahomed Reza Khân was appointed guardian to his children, and administrator of his office, or regent, which appoint.



appointment the Court of Directors did approve. But the party opposite to Mahomed Reza Khân having continued to cabal against him, sundry accusations were framed, relative to oppression at the time of the famine, and for a balance due during his employment of Collector of the Revenues; upon which the Directors did order him to be deprived of his office, and a strict enquiry to be made into his conduct.

XI. That the said Warren Hastings, then lately appointed to the Presidency, did, on the 1st of April, and on the 24th of September, 1772, write letters to the Court of Directors, informing them, that on the very next day after he had received (as he asserts) their private orders, "addressed to himself alone," and not to the Board, he did dispatch, by express messengers, his orders to Mr. Middleton, the Resident at the Nabob's Court at Muxadavad, in a public character and trust with the Nabob, to arrest in his capital and at his court, and without any previous notice given of any change, his principal Minister, the aforesaid Mahomed Reza Khân, and to bring him down to Calcutta; and he did carefully conceal his said proceedings from the knowledge of the Board, on pretext of his not being acquainted with their dispositions, and the influence which he thought that the said Mahomed Reza Khân had amongst them.

XII. That the said Warren Hastings, at the time he gave his orders as aforesaid, for arresting the said Mahomed Reza Khân, did not take any measures to compel the appearance of any other persons as witnesses, declaring it as his opinion, "that there would be little need of violence to obtain such intelligence, as they could give, against their former master, when his authority is taken from him;" but he did afterwards, in excuse for the long detention and imprisonment of the said Mahomed Reza Khân, without any proofs having been obtained of his guilt, or measures taken to bring him to a trial, assure the Directors, in direct contradiction to his former declaration, "that the influence of Mahomed Reza Khân still prevailed generally throughout the country, in the Nabob's Household, and at the capital, and was scarcely affected by his present disgrace,"—notwithstanding, as he, the said Hastings, doth confess, he had used his utmost endeavours "to break that influence, by removing his dependants, and putting the direction of all the affairs that had been committed to his care into the hands of the *most powerful or active of his enemies*; that he depended on the activity of their hatred to Mahomed Reza Khân, incited by the expectation of rewards, for investigating the conduct of the latter; that with this the institution of the new Duannee coincided, and that the same principle had  
"guided

“guided him in the choice of Munny Begum and Rajah Gourdafs, the former for the chief administration, the latter [the son of Nundcomar, and a mere instrument in the hands of his father] for the Duannee of the Nabob’s household, both the *declared enemies* of Mahomed Reza Khân.”

XIII. That although it might be true that enemies will become the most active prosecutors, and as such may, though under much guard and many precautions, be used even as witnesses; and that it ought not to be an exception, supposing their character and capacity otherwise good, to the appointing them to power; yet to advance persons to power, on the ground not of their honour and integrity, which might have produced the enmity of bad men, but merely for the enmity itself, without any reference whatsoever to a laudable cause, and even with a declared ill opinion of the morals of one of the party, such as was actually delivered in the said letter, by him the said Hastings, of Nundcomar (and which, time has shewn, he might also on good ground have conceived of others) was, in the circumstances of a criminal enquiry, a motive highly disgraceful to the honour of government, and destructive of impartial justice, by holding out the greatest of all possible temptation to false accusation, to corrupt and factious conspiracies, to perjury, and to every species of injustice and oppression.

XIV. That in consequence of the aforesaid motives, and others pretended, which were by no means a sufficient justification to the said Warren Hastings, he did appoint the woman aforesaid, called Munny Begum, who had been of the lowest and most discreditable order in society, according to the ideas prevalent in India, but from whom he received several sums of money, to be guardian to the Nabob in preference to his own mother, *and to administer the affairs of the government* in the place of the said Mahomed Reza Khân, the second Mussulman in rank after the Nabob, and the first in knowledge, gravity, weight, and character, among the Mussulmen of that province. And in order to try every method and to take every chance for his destruction, the said Warren Hastings did maliciously and oppressively keep him under confinement, for a part of the time, without any enquiry, and afterwards, with a slow and dilatory trial, for two years together.

XV. That notwithstanding a total revolution in the power, in part avowedly made for his destruction, the persons appointed for his trial did, on full enquiry, compleatly acquit the said Mahomed Reza Khân of the criminal charges against him, on account of which he had been so long persecuted



secuted and confined, and suffered much in mind, body, and fortune; and the Court of Directors, in their letter of the 3<sup>d</sup> of March 1775, testify their satisfaction in the conduct and result of the said enquiry, and did direct the restoration of the said Mahomed Reza Khân to liberty, and to the offices which he had lately held, which comprehended the management of the Nabob's household, and the general superintendency of the justice of Bengal; but according to the orders of the Court of Directors, his appointments were reduced to thirty thousand pounds a year, or thereabouts, of which he did make grievous complaint, on account of the expences attendant on his station, and the heavy debts which he had been obliged to contract during his unjust persecution and imprisonment aforesaid.

XVI. That on the removal of the said Mahomed Reza Khân from the Superintendency of the Criminal Justice, and in consequence of letting the province of Bengal in by the said Warren Hastings, several dangerous and mischievous innovations were made by him the said Warren Hastings, and the Criminal Justice of the country was almost wholly subverted, and great irregularities and disorders did actually ensue.

XVII. That the Council General, established by Act of Parliament in the year 1773, did restore the said Mahomed Reza Khân, with the consent and approbation of the Nabob (but under a protest from the said Warren Hastings) to his liberty, and to his offices, according to the spirit of the orders given by the Court of Directors as aforesaid, and the Court of Directors did approve of the said appointment, and did assure the said Mahomed Reza Khân of their favour and protection, as long as his conduct should merit the same, in the following terms: "As the abilities of Mahomed Reza Khân have been sufficiently manifested; as official experience qualifies him for so high a station, in a more eminent degree than any other native with whom the company has been connected; and as no proofs of maladministration have been established against him, either during the strict investigation of his conduct, or since his retirement; we cannot under all circumstances but approve your recommendation of him to the Nabob, to constitute him his Naib. We are well pleased that he has received that appointment, and authorise you to assure him of our favour, so long as a firm attachment to the interest of the Company, and a proper discharge of the duties of his station, shall render him worthy of our protection." And the said Mahomed Reza Khân did continue to execute the same, without any complaint whatsoever of malversation or negligence, in any manner or degree, in his said office.

XVIII. That in March 1778 the said Warren Hastings, under colour that the Nabob had compleated his twentieth year, and had desired to be placed in the entire and uncontrouled management of his own affairs, and that Mahomed Reza Khân should be removed from his office, and that Munny Begum his stepmother, the dancing girl aforesaid, "should take on herself the management of the Nizamut [the Government and general Superintendency of Criminal Justice] without the interference of any person whatsoever;" and, notwithstanding the contradictions in the pretended applications from the Nabob, with whose incapacity for all affairs he was well acquainted, did, in defiance of the orders of the Court of Directors, and without regard to the infamy of an arrangement, made for the evident and declared purpose of delivering not only the family with the Prince, but the government and justice of a great kingdom, into such insufficient, corrupt, and scandalous hands; and though he has declared his opinion, "that our national character is concerned in the character which the Nabob may obtain in the public opinion," on obtaining a majority in Council, without any complaint, real or pretended, remove the said Mahomed Reza from all his offices, and did partition his salary as a spoil in the following manner:—To Munny Begum, the dancing girl aforesaid, an additional allowance of seventy-two thousand rupees [7,200l.] a year; to the Nabob's own mother, but half that sum, that is to say, 36,000 rupees [3,600l.] a year; to Rajah Gourdass, son of Nundcomar (whom he had described as a weak young man) 72,000 rupees [7,200l.] a year, as Controller of the Household; and to a magistrate called Sudder ul Hock, who, in real subserviency to the said Munny Begum, was nominally to act in the department of Criminal Justice, 78,000 rupees [7,800l.] a year; the total of which allowances exceeding the salary of Mahomed Reza Khân by 18,000 rupees [1,800l.] yearly, he did, for the corrupt and scandalous purposes aforesaid, order the same to be made up from the Company's Treasury.

XIX. That Mr. Francis and Mr. Wheler, having moved that the execution of the aforesaid arrangement, the whole expence of which, ordinary and extraordinary, was charged upon the Company's Treasury, and therefore could not be even colourably disposed of at the pretended will of the said Nabob, might be suspended until the pleasure of the Court of Directors thereon should be known; and the same being resolved agreeably to law, by a majority of the Council then present, the said Hastings urging on violently the immediate execution of his corrupt project, and having obtained, by the return of Richard Barwell, Esquire, a majority in Council,

in

in his own casting vote, did rescind the aforesaid resolution, and did carry into immediate execution the aforesaid most unwarrantable, mischievous, and scandalous design.

XX. That the consequences which might be expected from such a plan of administration, did almost instantly flow from it. For the person appointed to execute one of the offices which had been filled by Mahomed Reza Khân, did soon find that the eunuchs of Munny Begum began to employ their power, with great superiority and insolence, in all the concerns of government, and the administration of justice, and did endeavour to dispose of the offices relative to the same for their corrupt purposes, and to rob the Nabob's servants of their due allowances; and in his letter of the 1st of September 1778, he sent a complaint to the Board, stating, "That certain bad men had gained an ascendancy over the Nabob's temper, by whose instigation he acts." And after complaining of the slights he received from the Nabob, he adds, "Thus they cause the Nabob to treat me, sometimes with indignity, at others with kindness, just as they think proper to advise him: Their view is, that by compelling me to displeasure at most unworthy treatment, they may force me either to relinquish my station, or to join with them, and act by their advice, and to appoint creatures of their recommendation to the different offices, from which they might draw profit to themselves."

XXI. That, in a subsequent letter to the Governor, the said superintendant of justice did inform him, the said Warren Hastings, of the audacious and corrupt manner in which, by violence, fraud, and forgery, the eunuchs of Munny Begum had abused the Nabob's name, to deprive the judicial and executory officers of justice of the salaries which they ought to have drawn from the Company's Treasury, in the following words:—"The Begum's ministers, before my arrival, with the advice of their counsellors, caused the Nabob to sign a receipt, in consequence of which they received, at two different times, near 50,000 rupees [5000l.] in the name of the officers of the Adawlut, Fousdary, &c. from the Company's Circars; and having drawn up an account current *in the manner they wished*, they had got the Nabob to sign it, and sent it to me." And in the same letter he asserts, "That these people had the Nabob entirely in their power."

XXII. That the said Warren Hastings, upon this representation, notwithstanding his late pretended opinion of the fitness and the right of the Nabob to the sole administration of his own affairs, authoratively forbid him from any interference therein, and ordered that the whole should be left to the magistrates aforesaid; to which the Nabob did, notwithstanding

his pretended independence, yield an immediate and unreserved submission; for the said Hastings's order being given on the first of September at Calcutta, he received *an answer* from Muxadavad on the third, in the following terms:—" Agree-  
 " ably to your pleasure I have relinquished all concern with  
 " the affairs of the Foudary and Adawlut, leaving the entire  
 " management in Judder ul Hock's hands." Which said circumstance, as well as many others, abundantly proves, that all the Nabob's actions were, in truth and fact, entirely governed by the influence of the said Hastings; and that however the said Hastings may have publicly discouraged the corrupt transactions of the said Court, yet he did secretly uphold the authority and influence of Munny Begum, who did entirely direct, with his knowledge and countenance, all the proceedings therein. For

XXIII. That, on the 13th of the same month of September, he did receive a further complaint of the corrupt and fraudulent practices of the chief eunuch of the said Munny Begum; and these corrupt practices did so continue and increase, that, on the 10th of October 1778, he was obliged to confess, in the strongest terms, the pernicious consequences of his before-created unwarrantable and illegal arrangements; for, in a letter of that date to the Nabob, he expresses himself as follows: " At your Excellency's request,  
 " I sent Sudder ul Hock Khân to take on him the administration of the affairs of the Adawlut and Foudary, and  
 " hoped by that means not only to have given satisfaction to  
 " your Excellency, but that, through his abilities and experience, these affairs would have been conducted in such manner, as to have secured the peace of the country, and the  
 " happiness of the people; and it is with the greatest concern  
 " I learn, that this measure is so far from being attended with  
 " the expected advantages, that the affairs, both of the Foudary and Adawlut, are in the greatest confusion imaginable, and daily robberies and murders are perpetrated  
 " throughout the country. This is evidently owing to the  
 " want of a proper authority in the person appointed to superintend them. I therefore addressed your Excellency on  
 " the importance and delicacy of the affairs in question, and  
 " of the necessity of lodging full power in the hands of the  
 " person chosen to administer them; in reply to which, your  
 " Excellency expressed sentiments coincident with mine: Notwithstanding which, your dependents and people, actuated  
 " by selfish and avaricious views, have by their interference so  
 " impeded the business, as to throw the whole country into a state  
 " of confusion, from which nothing can retrieve it, but an unlimited power lodged in the hands of the superintendant. I  
 " therefore



“ therefore request that your Excellency will give the strictest  
 “ injunctions to all your dependents, not to interfere in any  
 “ manner with any matter relative to the affairs of the  
 “ Adawlut and Fousdary; and that you will yourself relin-  
 “ quish all interference therein, and leave them entirely to  
 “ the management of Sudder ul Hock Khân: This is abso-  
 “ lutely necessary, to restore the country to a state of tran-  
 “ quility.” And he concluded by again recommending the  
 Nabob to withdraw all interference with the administrator  
 aforesaid; “ otherwise a measure, which I adopted at your  
 “ Excellency’s request, and with a view to your satisfaction,  
 “ and the benefit of the country, will be attended with quite  
 “ contrary effects, and bring discredit on me.”

XXIV. That the said Hastings, in the letter aforesaid, in  
 which he so strongly condemns the acts, and so clearly  
 marks out the mischievous effects, of the corrupt influence  
 under which alone the Nabob acted, and under which alone,  
 from his known incapacity, and his dependence on the person  
 supported by the said Hastings, he could act, did propose to  
 put all the offices of justice (which on another occasion he had  
 requested him to *permit* to remain in the hands which then  
 held them) into his own disposal; telling him, or rather the  
 woman and eunuch who governed him, “ that if his Ex-  
 “ cellency has any plan for the management of the affairs in  
 “ future, be pleased to communicate it to me, and every at-  
 “ tention shall be paid to give your Excellency satisfaction.”  
 By which means, not only particular parts, as before, but  
 the whole system of justice was to be afloat, and to be sub-  
 ject to the purposes of the aforesaid corrupt cabal of women  
 and eunuchs.

XXV. That the Court of Directors, on receiving an ac-  
 count of the above arrangements, and being well apprized of  
 the spirit, intention, and probable effect of the same, did, in  
 a clear, firm, and decisive manner, express their condemna-  
 tion of the measure, and their rejection and reprobation of  
 all the pretended grounds and reasons on which the same was  
 supported; marking distinctly his prevarication and contra-  
 diction in the same, and pointing to him their full conviction  
 of the unworthy motives on which he had made so shameful  
 an arrangement; telling him, in the 17th paragraph of their  
 general letter, of the 4th of February 1779, “ The Nabob’s  
 “ letters of the 25th and 30th of August, of the 3d of Sep-  
 “ temper, and 17th of November, leave us no doubt of the  
 “ true design of this extraordinary business being to bring  
 “ forward Munny Begum, and again to invest her with im-  
 “ proper power and influence, notwithstanding our former  
 “ declaration, that so great a part of the Nabob’s allowance  
 “ had

" had been embezzled and misapplied under her superintendence."

XXVI. That in consequence of the censure and condemnation of the unwarrantable measures of the said Warren Hastings, by the Court of Directors, on the aforesaid and other weighty and substantial grounds, they did order and direct as follows, in the 20th paragraph of the general letter of the same date: " As we deem it for the welfare of the country, that the office of Naib Soubadar be for the present continued, and that this high office should be filled by a person of wisdom, experience, and of approved fidelity to the Company; and as we have no reason to alter the opinion given of Mahomed Reza Khân, in our letter of the 24th of December 1776; we positively direct, that you forthwith signify to the Nabob Mobareck ul Dowla our pleasure, that Mahomed Reza Khân be immediately restored to the office of Naib Soubadar; and we further direct, that Mahomed Reza Khân be again assured of the continuance of our favour, so long as a firm attachment to the interest of the Company, and a proper discharge of the duties of his station, shall render him worthy of our protection."

XVII. That the aforesaid direction did convey in it such evident and cogent reason, and was so far enforced by justice to individuals, and by regard to the peace and happiness of the natives, as well as by the common decorum to be observed in all the transactions of government, that the said Hastings ought to have yielded a cheerful obedience thereto, even if he had not been by a positive statute, and his relation of servant to the Company, bound to that just submission. Yet the said Hastings did, without denying or evading any one of the reasons assigned by the Court of Directors, or controverting the scandalous motives assigned by them for his conduct, contumaciously refuse obedience to the above positive order, on pretence that the Nabob, who, he had declared it on record, " to be as visible as the light of the sun, is a mere pageant, and without even the shadow of authority," did dissent from the same; and he did encourage the said Nabob, or rather the eunuchs, the corrupt Ministers of Munny Begum, to oppose himself and themselves to the authority of the said Court of Directors; by which means the arrangement, three times either ratified or expressly ordered by them, was wholly defeated; the aforesaid corrupt system was continued; Mahomed Reza Khân was not restored to his office; and a lesson was taught to the natives of all ranks, that the declared approbation, the avowed sanction, and the decided authority of the Court of Directors,

were

were wholly nugatory to their protection, against the corrupt influence of their servants.

XXVIII. That the said Warren Hastings, on a reconciliation with Mr. Francis, one of the Council General, who made it a condition thereof that certain of the Company's orders should be obeyed, and that Mahomed Reza Khân should be restored to his offices, did, a considerable time after, notwithstanding the pretended reluctance of the Nabob, and his pretended freedom, make, for his convenience in the said accommodation, the arrangement which he had unwarrantably and illegally refused to the orders of the Court of Directors; and did, of his own authority and that of the Board, restore Mahomed Reza Khân to his offices.

XXIX. That, soon after the departure of the said Mr. Francis, he did again deprive the said Mahomed Reza Khân of his said offices, and did make several great changes in the constitution of the criminal justice in the said country; and after having, under pretence of the Nabob's sufficiency for the management of his own affairs, displaced, without any specific charge, trial, or enquiry whatsoever, the said Mahomed Reza Khân, he did submit the said Nabob to the entire direction, in all parts of his concerns, of a resident of his own nomination, Sir John Doyley, Bart. and did order an account of the most minute parts of his domestick oeconomy to be made out, and to be delivered to the said Sir John Doyley, in the following words, contained in a paper by him intitled, INSTRUCTIONS from the Governor General to the Nabob Mobarek ul Dowla, respecting his conduct in the management of his affairs: "You will be pleased  
 " to direct your Mutta Seddies to form an account of the  
 " fixed sums of your monthly expences, such as servants  
 " wages in the different departments, pensions, and other  
 " allowances, as well as of the estimated amount of variable  
 " expences, to be delivered to Sir John Doyley, *for my inspection.* I have given such orders to Sir John Doyley as  
 " will enable him to propose to you such reductions of the  
 " pensions and other allowances, and such a distribution of  
 " the variable expences, as shall be proportionable to the  
 " total sum of your monthly income; *and I must request you*  
 " *will conform to it.*" And he did, in the subsequent articles of his said instructions, order the whole management to be directed by Sir John Doyley, subject to his own directions, as aforesaid; and did even direct what Company he should keep; and did throw reflections on some persons, in places the nearest to him, as of bad character and base origin—Persons whom he should decline to name as such, " unless  
 " he

" he heard that they still availed themselves of his goodness  
 " to retain *the places* which they improperly hold near his  
 " person." And he did particularly order the said Nabob  
 not to admit any English, but such as the said Sir John Doy-  
 ley should approve, to his presence; and did repeat the said  
 order in the following peremptory manner: " You *must for-*  
 " *bid any person of that nation* to be intruded into your pre-  
 " sence, without *his introduction.*" And he did require his  
 obedience in the following authoritative style: " I shall  
 " think myself obliged to interfere *in another manner*, if you  
 " neglect it."

XXX. That he the said Warren Hastings did insult the  
 captive condition of the said Nabob, by informing him, in  
 his imperious instructions aforesaid, that this total, blind,  
 and implicit obedience, in every respect whatsoever, to Sir  
 John Doyley and himself personally, and without any refer-  
 ence to the Board, " was the very *conditions* of the compli-  
 " ance of the Governor General and Council with his late  
 " requisition;" which requisition was, that he should enjoy  
*the free and uncontrouled* management of his own affairs. And  
 though the said captive did offer, as he the said Hastings himself  
 admits, *four lacks* of his stipend, at that time reduced to  
 sixteen lack, for the *free use of the remainder*, yet he did place  
 him the said Nabob in the state of servitude in the said in-  
 structions laid down, but a very short time after he had as-  
 sumed and used the said Nabob's independent rights, as a  
 ground for refusing to obey the Company's orders; and al-  
 though he has declared or pretended, on another occasion,  
 which he would have thought similar, that any attempt to  
 limit the household expences of the Nabob of Oude, was an  
 indignity " which no man living, however mean his rank in  
 " life; or dependent his condition in it, would permit to be  
 " exercised by any other, without the want or forfeiture of  
 " every manly principle."

XXXI. That the said Warren Hastings did order the said  
 stipend (which was to be distributed, in the minutest particu-  
 lar, according to the said Hastings's personal directions) to  
 be paid monthly, not to any officer of the Nabob, but to the  
 said resident Sir John Doyley. And whereas the Governor  
 General and Council did, on the appointment of Mahomed  
 Reza Khân, according to their duty, instruct him, that " he  
 " do conform to the *orders* of the Company, which direct,  
 " that an annual account of the Nabob's expences be trans-  
 " mitted, through the Resident at the Durbar, for the in-  
 " spection of this Board,"—the said Hastings, in making his  
 new establishment in favour of his Resident, did wholly  
 omit



omit the said instruction, and did confine the said communication to *himself* privately. And in fact it does not appear that any accounts whatsoever of the disposition of the said large sum, exceeding 160,000*l.* sterling a year, has been laid before the Board, or at least that any such account has been transmitted to the Court of Directors; and it is not fitting that any British servant of the Company should have the management of any publick money, much less of so great a sum, without a public well-vouched account of the specific expenditure thereof.

XXXII. That the Court of Directors did, on the 17th of May 1766, propose certain rules for regulating the correspondence of the Resident with the Nabob of Bengal, in which they did direct, as a principle for the said regulations, as follows (paragraph 16th): "We would have his correspondence to be carried on with the *Select Committee* through the channel of the President; he should keep a diary of all his transactions. His correspondence with the natives *must be publicly conducted*; copies of *all* his letters, sent and received, be transmitted monthly to the Presidency, with duplicates and triplicates to be transmitted home in our general packet by every ship."

XXXIII. That the President and Select Committee (Lord Clive being then President) did approve of the whole substantial part of the said regulation (the diary excepted); and the principle, in all matters of account, ought to have been strictly adhered to, whatever limitations may have been given to the office of Resident. Yet he the said Warren Hastings, in defiance of the aforesaid good rules, orders, and late precedent in conformity to the same, did not only withhold any order for the purpose, but, in order to carry on the business of the said Durbar in a clandestine manner for his own purposes, did, as aforesaid, exclude all English from an intercourse with the Nabob, who might carry complaints or representations to the Board, or the Court of Directors, of his condition, or the conduct of the Resident; and did further, to defeat all possible publicity, insinuate to him, to give the preference to verbal communication above letters, in the words following, of the 9th article of his instructions to the Nabob: "Although I desire to receive your letters frequently, yet, as many matters will occur which cannot be so easily explained by letters as by conversation, I desire that you will, on such occasions, give your orders to him, respecting such points as you may desire to have imparted to me; and I, postponing every other concern, will give an immediate and the most satisfactory reply concerning them." Accordingly, no relation whatsoever has been received by

the Court of Directors of the said Nabob's affairs; nor any account of the money monthly paid, except from public fame, which reports that his affairs are in great disorder, his servants unpaid, and many of them dismissed, and all the Mussulmen dependent on his family in a state of indigence,

No. XVIII.

## No. XVIII.

## The Mogul delivered up to the Mahrattas.

I. **T**HAT Shâ Allum, the Prince, commonly called the Great Mogul; or, by eminence, *The King*, is, or lately was, in the possession of the ancient capital of Hindostan; and tho' without any considerable territory, and without a revenue sufficient to maintain a moderate state, he is still much respected and considered; and the custody of his person is eagerly sought by many of the Princes in India, on account of the use to be made of his title and authority; and it was for the interest of the East India Company that while, on one hand, no wars shall be entered into in support of his pretensions; on the other, no steps should be taken which may tend to deliver him into the hands of any of the powerful states of that country; but that he should be treated with friendship, good faith, and respectful attention.

II. That Warren Hastings, in contradiction to this safe, just, and honourable policy, strongly prescribed and enforced by the orders of the Court of Directors, did (at a time when he was engaged in a negociation, the declared purpose of which was to give peace to India) concur with the Captain General of the Mahratta state, called Madajee Scindia, in hostile designs against the few remaining territories of that same Mogul Emperor, by virtue of whose grant the Company actually possess the government, and enjoy the revenues of great provinces, and also against the possessions of a Mahomedan Chief called Nudjif Cawn, a person of much merit with the East India Company; in acknowledgment of which they had granted him a pension, included in the tribute due to the King, and, together with that tribute, taken from him by the said Warren Hastings, though expressly *guaranteed* to him by the Company. With both these powers the Company had been in friendship, and were actually at peace at the time of the said clandestine concurrence in a design against them; and the said Hastings hath since declared, that the right of one of them, namely, "the right of the Mogul Emperor to our assistance, has been constantly acknowledged."

III. That the said Warren Hastings, at the time of his treacherous concurrence in a design against a power, which

he was himself of opinion we were bound to assist, and against whom there was no doubt he was bound neither to form nor to concur in any hostile attempt, did give a caution to Colonel Muir, to whom the negotiation aforesaid was entrusted on the part of the Company, against "inserting any thing in the treaty which might *expressly* mark our knowledge of "his [the Maratta General's] views or concurrence in them." Which said transaction was full of duplicity and fraud; and the crime of the said Hastings therein is aggravated, by his having some years before withheld the tribute, which by treaty was solemnly agreed to be paid to the said King, on pretence that he had thrown himself, for the recovery of his city of Delhi, on the protection of the Marattas, whom the said Warren Hastings then called *the natural enemies* of the Company, and the growth of whose power he then alledged to be highly dangerous to the interests of this kingdom in India.

IV. That after having concurred, in the manner before mentioned, in a design of the Marattas against the Mogul; and notwithstanding he the said Warren Hastings had formally declared, "That with him [the Mogul] our connection had been a long time suspended, and *he wished never to see it renewed*, as it had proved a fatal drain to the wealth of Bengal, and the Treasury of the Company, without yielding one advantage or possible resource, even of remote benefits in return;" the said Warren Hastings did nevertheless, on or about the month of March, 1783, with the privity and consent of the Members of the Board, but by no authoritative act, dispatch, as agents of him the Governor General only, and not as agents of the Governor General and Council, as they ought to have been, certain persons, among whom were Major Browne and Major Davy, to the court of the King at Delhi, and did there enter into certain engagements with the said King, by the means of those agents, and did carry on certain private and dangerous intrigues for various purposes, particularly for making war in favour of the said King, against some powers or Princes not precisely described, but which, as may be inferred from by subsequent correspondence, to be certain Mahomedan Princes in the neighbourhood of Delhi, in amity with the Company, and some of them at that time in the actual service, and in the apparent confidence and favour of the said Mogul; and he did order Major Browne to offer to the Mogul King, to provide for the *entire* expence of any troops the Shâ [the said King] might require; and the proposal was accordingly accepted, with the conditions annexed; by which proposal,

and



and acceptance thereof, the East India Company was placed in a situation of great and perplexing difficulty, since either they were to engage, at an unlimited *expence*, in new wars, contrary to their orders, contrary to their general declared policy, and contrary to the published resolutions of the House of Commons, and wholly incompatible with the state of their finances; or, to preserve peace, they must risk the imputation of a new violation of faith, by departing from an agreement made on the voluntary proposal of their own government; the agent of the said Hastings having declared, in his letter to the said Hastings, by him communicated to the Board, "That the business of assisting the Shâ [the Mogul Emperor] can and *must* go on, if we wish to be secure in India, or regarded as a nation of faith and honour."

V. That the said Warren Hastings did, on the 20th day of January 1784, send in circulation to the other Members of the Council, a letter to him from his Agent, Major Browne, dated at Delhi on the 30th of December 1783, viz. that letter to which the foregoing references are made, in which the said Browne did directly press, and indirectly (though sufficiently and strongly) suggest several highly dangerous measures, for realizing the general offers and engagements of the said Warren Hastings;--proposing, that besides a proportion of field artillery, and a train of battering cannon for the purpose of sieges, six regiments of Sepoys in the Company's service should be transferred to that of the said King, and that certain other corps should also be raised for the said service in the English provinces and dependencies, to be immediately under the King's [the Mogul's] orders, and to be maintained by assignments of territorial revenue within the province of Oude, a dependent member of the British government, but with a caution against having any British officer with the same; the said Major Browne expressing his caution as followeth;---"If any European officer *be* with this corps, a very nice judgment indeed must direct the choice; for scarce any are in the smallest degree *fit* for *such* employ, but much more likely to do harm than good." And the letter aforesaid, being without any observation thereon, or any disavowal of the matters of fact, or of the Councils so strongly and authoritatively delivered therein, by the said Warren Hastings's Agent, and without any mark of disapprobation of any part of his plan, whether that of the assignment of territory belonging to the Companies allies for the maintenance of troops, which were to be by that plan put under the orders of a foreign independent power, or that of employing the said troops without any British officer with them

them; or for his alarming observation by him entered on the Company's records, which, if not an implied censure on the nature of the service in which British officers are supposed improper to be trusted, is a strong reflection on the character of the British officers, which was to render them unfit to be employed in an honourable service.---The said Warren Hastings did thereby give a countenance to the said unwarrantable and dangerous proposals and reflections.

VI. That, a considerable time before the production and circulation of Major Browne's letter, the said Hastings did enter a minute of consultation, containing a proposition similar in the general intent to that in the said letter contained, for assisting the Mogul with a military force; but the other Members of the Board did disagree thereto; and being alarmed at the disposition so strongly shewn by the said Hastings, to engage in new wars, and dangerous foreign connections, and possibly having intelligence of the proceedings of his agent; did call upon him to produce his instructions to Major Browne; and he did on the 5th of October 1783, and not before, enter on the consultations a certain paper purporting to be the instructions which he had given to Major Browne the preceding March, the time of his, the said Browne's, appointment; in which pretended instructions no direction whatsoever was given to the effect of his the said Hastings's minute of consultation propounded; that is to say, no power was given in said instructions to make a direct offer of military aid to the Mogul, or to form the arrangements stated by the said Browne, in his letter to the said Hastings, as having been made by the express authority of the said Hastings himself. But the said instructions contained nothing further on that subject, but a conditional direction, that in case a military force should be required for the Mogul's aid or protection, the Major is to know the service on which it is to be employed, and the resources from whence it is to be paid; and the instructions produced as his real instructions by the said Hastings, are so guarded, as to caution the said Browne against *taking any part in the intrigues of those who are about the King's person.* By which letters, instructions, and transactions, compared with each other, it appears that the said Warren Hastings, after six months delay in entering of (contrary to the Company's order) any instructions to the said Browne, did at last enter a false paper as the true, or that he did give other secret instructions, totally different from, and even opposite to his public ostensible instructions, thereby to deceive the Council, and to carry on, with less obstruction, dark and dangerous intrigues, contrary to the orders of  
the

the Court of Directors, to the true policy of this Kingdom, and to the safety of the British possessions in the East.

VII. That the said letter from Major Browne was by the said Warren Hastings transmitted to the Court of Directors, without being accompanied by any part of the previous correspondence; by which wilful concealment the said Warren Hastings is guilty of an high and criminal disrespect to the Court of Directors, and of a most flagrant breach and violation of their orders, which he was bound by an Act of Parliament to obey.

VIII. That the said Hastings having early in the year 1784 procured to himself a deputation to act in the upper provinces, the Council, being well aware of his disposition to engage in unwarrantable designs against the neighbouring states, did expressly confine his powers to the circumstance of his actual residence within the Company's provinces: But it appears that ways were found out by which he hoped to defeat the precautions of the Board; for the said Warren Hastings did write from Lucknow, the capital of the country of Oude, to the Court of Directors, a certain postscript of a letter, dated the 4th of May 1784, in which he informs the Court that the son and heir apparent of the Great Mogul had taken refuge with him and the Nabob of Oude; that he had a conference with that Prince on the 10th of the same month of May, "no person being either present or within hearing" during the same; and that in the said conference the Prince had informed him of the distresses of his father, and his wish for the relief of the King, and the restoration of the dominions of his house, as well as to rescue him from the power of certain persons not named, who degraded him into a mere instrument of their interested and sordid designs; and that on a failure of his application to him, he would either return to his father, or proceed to Calcutta, and thence to England; and that the said Warren Hastings did give him an answer to the following effect:—"That our [British] government had just obtained relief from a state of universal warfare, and required a term of repose; that our whole nation was weary of war, and dreaded the renewal of it, *and would be equally alarmed at any movement of which it could not see the issue or progress, but which might eventually tend to create new hostilities*; that he came hither [to Lucknow] with a limited authority, and could not, if he chose it, engage in a business of that nature, *without the concurrence of his colleagues in office, who he believed would be averse to it*; that he would represent the same to the joint members of his own government, and wait their determination. In the mean time, he advised the Prince to make advances to Madajee Scindia, both be-

cause

“ cause our government *was in intimate and sworn connexion*  
 “ with him, and because he was the effectual head of the  
 “ Mahratta state; besides that he, the said Warren Hastings,  
 “ feared his [Scindia’s] taking the other side of the question,  
 “ unless he was early prevented.”

IX. That in the statement of this discourse, there is much criminal reserve towards the Court of Directors, it not appearing distinctly what the objects were, nor who the persons concerned, nor what the side was which he apprehended the Mahrattas might take, if not prevented by his advances; and in the discourse itself there were many particulars highly criminal; namely, For that in the said conversation, in which he describes himself as declining a compliance with the request of the Prince, on account of the aversion (therein strongly expressed) of his colleagues, of the Company, and of the whole British nation, to engage in any measures which might even “ *eventually lead to hostilities*”—he spoke to the Prince as if he had been entirely ignorant of the offers which but five months before had been made to the King his father, on the part of that very government (whose repugnance to such measures he then for the first time chose to profess, but which he always had known) through Major Browne, the Company’s Representative at the Court of Delhi, “ to provide for the “ *entire expence of any troops which the Shâ [thé King] “ might require?*” and that this was “ what the Resident “ had *always* proposed to the King and his confidential ministers;—the said Browne further declaring, that if, in consequence of the said proposals, certain arrangements for “ the Shâ’s service, by *troops*, were not immediately ordered, “ in his opinion all our [English government’s] *offers and “ promises* will be considered as false and insidious.” This being the known state of the business, as represented by the said Hastings’s own agent, and this the public opinion of it, although, to impose on the ignorance of the Prince, with regard to the proceedings at his father’s court, would have been unworthy in itself, yet he, the said Warren Hastings, could not hope to succeed in such imposition, as, in the postscript aforesaid, he represents the said Prince [who was the King’s eldest son, and thirty-six years of age] as a person of considerable qualifications, and perfectly acquainted with the transactions at his father’s court, and as one who had long held the *principal* and most active part in the little that remained of the *administration of Shâ Allum*. And the said Hastings, conferring with a Prince so well instructed, without making the slightest allusions to his said positive and recent engagements, or without giving any explanation with regard to them, the said Warren Hastings must appear to the said Prince



Prince either as a person not only contracting engagements, but actually being the first mover and proposer of them, without any authority from *his colleagues*, and against theirs and the general inclination of the British nation, and on that ground not to be trusted; or that he had used this plea of disagreement between him and his Council as a pretence, set up without colour or decency, for a gross violation of his own engagements; leaving the princes and states of the country no solid ground on which they can or ought to contract with the Company, to the utter destruction of all public confidence, and to the equal disgrace of the national candour, integrity, and wisdom.

X. That, in a letter dated from the same place, Lucknow, the 16th of the following June 1784, the said Warren Hastings informs the Court of Directors, that Major Browne, their Agent to the Mogul, had arrived there in the character also of Agent from the Mogul, with two sets of instructions from two opposite parties in his ministry, which instructions were directly contrary to each other; the first, which were the ostensible instructions, being to engage the said Hastings, in the Mogul's name, to enter into a treaty of mutual alliance with a chief of the country, then minister to the said Mogul, called Afrafaib Khân; the second were from another principal person, called Mudjed al Dowla, also a minister of the said Mogul (but styled in the said letter *confidential*, for distinction) which were directly destructive of the former; and the said latter instructions, to which it seems credence was to be given, were sent "under the most solemn adjurations of secrecy." The purpose of these latter and secret instructions were to require the Company's aid in freeing the Mogul from the oppressions of his servants, namely, from the oppressions of the said *Afrafaib*, between whom and the Company Major Browne (at once Agent to that Company, and to two opposite factions in the Mogul's Court) accepted a power to make a treaty of mutual alliance, under the sanction of his Sovereign; and it does not appear that he, Warren Hastings, did not discountenance the double-dealing and fraudulent agencies of his and the Company's minister at that Court; or did disavow any particular in the letter from him, the said Browne, of the 30th of December 1783, stating the offers made on his part to the Mogul, so contradictory to his late declarations to the heir-apparent of that monarch, or did give any reprimand to the said Browne, or did shew any mark of displeasure against him, as having acted without orders, but did again send him, with renewed confidence, to the Court aforesaid.

XI. That the said Warren Hastings, still pursuing his evil designs, did apply to the Council for discretionary powers

powers relative to the intrigues and factions in the Mogul's Court, giving assurances of his resolution not to proceed against their sense: But the said Council, being fully aware of his disposition, and having Major Browne's letter, recorded by himself, the said Warren Hastings, before them, did refuse to grant the said discretionary powers; but, on the contrary, did exhort him "most sedulously and cautiously to avoid, in his correspondence with the different Princes in India, whatever may commit, or be strained into an interpretation of committing, the Company, either as to their army or treasure;" observing, "that the Company's orders are positive against their interference in the objects of dispute between the Country Powers.

XII. That in order to subvert the plain and natural interpretation given by the Council to the orders of the Court of Directors, and to justify his dangerous intrigues, the said Warren Hastings, in his letter of the 16th of June 1784 to the said Court, did, in a most insolent and contemptuous manner, endeavour to persuade them of their ignorance of the true sense of their own orders, and to limit their prohibition of interference with the disputes of the Country Powers, to such Country Powers as are *permanent*; expressing himself as follows: "The faction which now surrounds the throne [the Mogul's throne] is widely different from the idea which your commands are intended to convey by the expressions to which you have generally applied them of *Country Powers*, to which that of *permanency is a necessary adjunct*; and which may be more properly compared to a splendid bubble, which the slightest breath of opposition may dissipate, with every trace of its existence." By which construction the said Hastings did endeavour to persuade the Court of Directors, that they meant to confine their prohibition of sinister intrigues to those powers only who could not be easily hurt by them, and whose strength was such that their resentment of such clandestine interference was to be dreaded; but that where the powers were weak and fragile, such intrigues might be allowed.

XIII. That the said Hastings, further to persuade the Court of Directors to involve themselves in the affairs of the Mogul, and to reconcile this measure with his former conduct, and declared opinions, did write to them to the following effect; that "at the former period, to which the ancient policy with regard to the Mogul applied, the King's authority was sufficiently respected [which he knew not to be true, having himself declared, in his minute of the 25th of October 1774, "That he remained at Delhi, the ancient capital of the empire, a mere cypher

“ in the administration of it.”] to maintain itself against  
 “ common vicissitudes. That he would not have advised  
 “ interference, if the King himself retained the exercise of  
 “ it, *however feeble*, in his own hands. That if it [the  
 “ Mogul’s authority] is suffered to receive its final extinc-  
 “ tion, it is impossible to foresee *what power may arise out of*  
 “ *its ruins*, or what events may be linked in the chain of  
 “ revolution with it—your reputation *certainly will*, as his  
 “ right to our assistance has *been constantly acknowledged*,  
 “ and by a train of consequences, to which our Government  
 “ has, not intentionally, given birth; but more especially  
 “ by the movements which *its influence, by too near an ap-*  
 “ *proach*, has excited, it has unfortunately become the ef-  
 “ ficient instrument of a great portion of the King’s present  
 “ distresses and dangers;” intimating (as well as the studied  
 obscurity of his expressions will permit any thing to be dis-  
 cerned) that his own late intrigues had been among the  
 causes of the distresses and dangers, which by new intrigues  
 he did pretend to remove: And he did conclude this  
 part of his letter with some loose expressions of his caution  
 not to affect the Company’s interests or revenues by any  
 measures he might at that time take.

XIV. That the principle, so far as the same hath been  
 directly avowed, of the said proceedings at the Mogul’s  
 Court, was altogether irrational, and the pretended object as  
 impracticable, as the means taken in pursuit of it were  
 fraudulent and dishonourable, namely, the restoration of the  
 Mogul in some degree to the dignity of his situation, and  
 to his free agency in the conduct of his affairs. For the said  
 Hastings, at the very time in which he did with the greatest  
 apparent earnestness urge the purpose which he pretended  
 to have in view with regard to the dignity and liberty of  
 the Mogul Emperor, did represent him as a person wholly  
 disqualified and even indisposed to take any active part  
 whatsoever in the conduct of his own affairs; and that any  
 attempt for that purpose would be utterly impracticable:  
 And this he hath stated to the Court of Directors as a  
 matter of public notoriety, in his said letter of the 16th  
 of June 1784, in the following emphatical and decisive  
 terms.

“ You need not be told the character of the King, whose inert-  
 “ ness, and the habit of long suffering has debased his dig-  
 “ nity and the fortunes of his house *beyond the power of re-*  
 “ *trieving either the one or the other*. Whilst his personal  
 “ repose is undisturbed, he will *prefer* to live in the *meanest*  
 “ *state of indigence*, under the rules of men whose views are  
 “ bounded by avarice and the power which they derive

“ from his authority, than commit any share of it to his  
 “ own sons, though his affection for them is boundless in  
 “ every other respect; from a natural jealousy, founded  
 “ on the experience of a very different combination of  
 “ those circumstances which once served as a temptation  
 “ and example of unlawful ambition in the Princes of the  
 “ Royal Line. His Ministers, from a policy more rea-  
 “ sonable, have constantly employed every means of in-  
 “ fluence to confirm this disposition, and to prevent his  
 “ sons from having any share in the distribution of affairs,  
 “ so as to have established a complete usurpation of the  
 “ Royal Prerogative under its own sanction and patron-  
 “ age.”

XV. That the said Warren Hastings having given this opinion of the Sovereign for whose freedom he pretended so anxious a concern, did describe the minister with whom he had long acted in concurrence, and from whom he had just received the extraordinary secret embassy aforesaid, for the purpose of effecting the deliverance of his master the Mogul from the usurpations of *his ministers*, as follows;—  
 “ The first Minister, Mujud ul Dowla, is *totally* deficient  
 “ in every military quality; conceited of his own superior  
 “ talents; and formed to the practice of *that crooked policy*,  
 “ *which generally defeats its own purpose*, but sincerely at-  
 “ tached to his master.” The reality of the said attachment was not improbable but altogether useless; as the said minister was the only one among the principal persons about the King, who (besides the total want of all military and civil ability) possessed no territories, troops, or other means of serving and supporting him; but was himself solely upheld by his influence over his master; neither doth the said Hastings free him any more than the persons more efficient, who were to be destroyed, from a disposition to alienate the King from an attention to his affairs, and from all confidence in his own family; but on the contrary, he brings him forward as the very first among the instances he adduces to exemplify the practices of the ministers against their sovereign and his children.

XVI. That the said Warren Hastings, recommending in general terms, and yet condemning in detail, every part of his own pretended plan, as impracticable in itself, and as undertaken in favour of persons all of whom he describes as incapable, and the principal as indisposed to avail himself thereof, must have had some other motives for this long, intricate, dark, and labourous proceeding with the Mogul, which must be sought in his actions, and the evident drift and tendency thereof, and in declarations which were  
 brought



brought out by him to serve other purposes, but which serve fully to explain his real intentions in this intrigue.

XVII. That the members of the Council General having abundantly certified their averfeness to his intrigues, and even having shewn apprehensions of his going personally to the Mogul and the Mahrattas for the purpose of carrying on the same, the said Hastings was driven headlong to acts which did much more openly indicate the true nature and purpose of his machinations: For he at length recurred directly and with little disguise to the Mahrattas, and did open an intrigue with them, although he was obliged to confess in his letter aforesaid, of the 16th June 1784, that the exception which he contended to be implied in the orders of the Court of Directors, forbidding the intermeddling in the disputes of "the country powers," namely that "powers not permanent," did by no means apply to the Mahrattas; and he informs the Court of Directors that he did, on the very first advice he received of the flight of the Mogul's son, write to Mr. James Anderson to apprize the Mahratta Chief Scindia of that event; "for which, as he was unprepared, he desired his [the said Scindia's] advice for his conduct on the occasion of it." Which method of calling for the advice of a foreign power to regulate his political conduct, instead of being regulated therein by the advice of the British Council, and the standing orders of the Court of Directors, was a procedure highly criminal; and the crime is aggravated by his not communicating the said correspondence to the Council General, as by his duty he was bound to do; but it does abundantly prove his concert with the Mahrattas in all that related to his negotiations in the Mogul Court, which were carried on agreeably to their advice, and in subserviency to their views and purposes.

XVIII. That in consequence of the cabal begun with the Mahrattas, the said Chief Scindia did send his "familiar" and confidential ministers" to him the said Hastings, being at Lucknow, with whom the said Hastings did hold several secret Conferences, without any secretary or other assistant; and the said Hastings hath not conveyed to the Court of Directors any minutes thereof, but hath purposely involved even the general effect and tendency of these conferences in such obscurity, that it is no otherwise possible to perceive the drift and tendency of the same, but by the general scope of councils and acts relative to the politics of the Mogul, and of the Mahrattas together, and by the final event of the whole, which is sufficiently visible. For

XIX. That the said Hastings had declared, in his said letter of the 16th June 1784, that the Mogul's right to our assistance

assistance had been constantly acknowledged, that the Mogul had been oppressed by the lesser Mahomedan Princes, in the character of his officers of state, and military commanders; and he did plainly intimate that the said Mogul ought to be relieved from that servitude. And he did, in giving an account to the Court of Directors of the conferences aforesaid, assure them that "his inclinations [the "inclinations of the Mahratta Chief aforesaid] were not "very dissimilar from his own;" and that "neither in this, "nor in any other instance, would he suffer himself to be "drawn into measures which shall tend to weaken their "connexion, nor in this even to oppose his [the said Chiefs] "inclinations;" the said Hastings well knowing, as in his letter to Colonel Muir of the he has confessed, that the inclinations of the said Scindia were to seize on the Mogul's territories, and that he himself did secretly concur therein, though he did not formally insert his concurrence in the treaty with the said Maharatta Chief. It is plain therefore that he did all along concur with the Maharattas in their designs against the King and his Ministers, under the treacherous pretence of supporting the authority of the former against the latter; and did contrive and effect the ruin of them all:—I'or, first, he did give evil and fraudulent counsel to the Heir apparent of the Mogul "to make advances to the Mahrattas," when he well knew, and had expressly concurred in, the designs of that state against his father's [the Mogul] dominions; and farther to engage and entrap the said Prince, did assert that "our Government," [meaning the British Government] "was in intimate and sworn connexion with the Mahajee "Scindia," when no alliance offensive or defensive appear to exist between the said Scindia and the East India Company, nor can exist, otherwise than in virtue of some secret agreement between him the said Scindia and Warren Hastings, entered into by the latter without the knowledge of his Colleagues, and the Government, and never communicated to the Court of Directors: And, secondly, he did, in order to further the designs of the Mahrattas, contrive and effect the ruin of the said Mogul and his authority, by setting on foot, through the aforesaid Major Browne, sundry perplexed and intricate negotiations, contrary to public faith, and to the honour of the British Nation; by which he did exceedingly encrease the confusion and disorders of the Mogul's Court, exposing the said Mogul to new indignities, insults, and distresses, and almost all the northern parts of India to great and ruinous convulsions, until three out of four of the principal Chieftains, some of them pos-  
sessing

selling the territories lately belonging to Nutjiff Cawn, and maintaining among them eighty thousand troops of horse and foot, and some of which chiefs were the ministers aforesaid, being cut off by their mutual discensions, and the Fort of Delhi being at length delivered to the Mahrattas, the said Scindia became the uncontrouled ruler of the royal army; and the person of the Mogul, with the use of all his pretensions and claims, fell into the hands of a nation already too powerful, together with an extensive territory, which entirely covers the Company's possessions and dependencies on one side, and particularly those of the Nabob of Oude.

XX. That the circumstances of these countries did, in the opinion of the said Warren Hastings himself, sufficiently indicate to him the necessity of not aggrandizing any power whatsoever on their borders, he having, in the aforesaid letter of the 16th June, given a deliberate opinion of the situation of Oude, in the words following: "That whilst we are at peace with the powers of Europe it is only in this quarter that your possessions, under the government of Bengal, are vulnerable." And he did further in the said letter state, that, "if things had continued as they had been to that time, with a divided government," [viz. the Company's and the Vizer's, which government he had himself established, and under which it ever must in a great degree remain, whilst the said country continues in a state of dependence] "the slightest shock from a foreign hand, or even an *accidental internal commotion*, might have thrown the whole into confusion, and produced the most fatal consequences." In this perilous situation he made the above-recited sacrifices to the ambition of the Mahrattas, and did all along so actively countenance and forward their proceedings, and with a full sense of their effect, that in his minute of the 24th December 1784 he declared, "That in the countries which border on the dominions of the Nabob Vizier, or on that quarter of our own, in effect *there is no power*." And he did further admit that the presence of the Mahratta Chief aforesaid, so near the borders of the Nabob's dominions, was no cause of suspicion; for "that it is the effect of *his own solicitation*, and is *so far* the effect of an act of that government."

XXI. That in further pursuit of the same pernicious design, he the said Warren Hastings did enter into an agreement to withdraw a very great body of the British troops out of the Nabob's dominions; asserting, however truly, yet in direct contradiction to his own declarations, that "this go-  
vernment

“vernment [meaning the British government] has not any “right to force defence with its maintenance upon him” [the Nabob]; and he did thus not only avowedly aggrandize the Maratta state, and weaken the defence upon the frontier, but did as avowedly detain their Captain General in force on that very frontier; notwithstanding he was well apprized, that they had designs against those dependant territories of Oude, which they had with great difficulty been persuaded even in appearance to include in the treaty of peace; and that they have never renounced their claims upon certain large and valuable portions of them, and have shewn evident signs of their intentions, on the first opportunity, of asserting and enforcing them. And, finally, the said Warren Hastings, in contradiction to sundry declarations of his own, concerning the necessity of curbing the power of the Marattas, and to the principle of sundry measures undertaken by himself professedly for that purpose, and to the sense of the House of Commons, expressed in their resolution of 28th May, 1782, against any measures that tended to unite the dangerous powers of the Maratta empire under one active command, has endeavoured to persuade the Company, that “while Scindia “lives, every accession of territory obtained by him will be “an advantage to this [the British] government;” which, if it was true, as respecting the personal dispositions of Scindia, which there is no reason to believe, yet it was highly criminal to establish a power in the Marattas, which must survive the man in confidence of whose personal dispositions a power more than personal was given, and which may hereafter fall into hands disposed to make a more hostile use of it.

XXII. That in consequence of all the before-recited intrigues, the Mogul Emperor being in the hands of the Marattas, he the said Mogul has been obliged to declare the Head of the Mahratta state to be Vicegerent of the Mogul empire, an authority which supercedes that of Vizier, and has thereby consolidated in the Mahratta state all the powers acknowledged to be of legal authority in India; in consequence of which they have acquired, and have actually already attempted to use, the said claims of general superiority against the Company itself; the Mahrattas claiming a right in themselves to a fourth part of the revenues of all the provinces in the Company’s possession, and claiming in right of the Mogul the tribute due to him; by which actings and doings the said Hastings has, to the best of his power, brought the British provinces in India into a dependence on the Mahratta state; and in order to add to the aforesaid enormous claims a proportioned force, he did never cease, during his stay in India, to contrive the means for its increase: for it is of public



lie notoriety, that one great object of the Mahratta policy is to unite under their dominion the nation or religious sect of the Seiks, who being a people abounding with soldiers, and possessing large territories, would extend the Mahratta power over the whole of the vast countries to the North West of India.

XXIII. That the said Warren Hastings, farther to augment the power of the said Mahrattas, and to endanger the safety of the British possessions, having established in force the said Mahrattas on the frontier, as afore recited, and finding the Council General averse in that situation to the withdrawing the British forces therefrom, and for disbanding them to the extent required by the said Hastings, did in a Minute of the 4th December, 1784, after stating a supposition, that contrary to his opinion, the said troops should not be reduced, propose to employ them under the command of the Mogul's son, then under the influence of the Mahrattas, in a war against the aforesaid people or religious sect called Seiks, defending the same on the following principles: "I feel the sense of an obligation imposed on me by the supposition I have made to state a mode of rendering the detachment of use in its prescribed station, and of affording the appearance of a cause for its retention."

XXIV. That the said Hastings did admit, that there was no present danger to the Company's possessions from that nation, which could justify him in such a war, as he had declared that the Mahrattas was the *only power* that bordered on the Company's possessions and those of the Vizier; but he did assign, as a reason for going to war with them, their military and enthusiastick spirit; the hardiness of their natural constitution; the dangers which might arise from them in some future time, if they should ever happen to be united under one head, they existing at present in a state little different from anarchy; and he did predict great danger from them and at no very remote period, "if this people be permitted to grow into maturity without interruption." And tho' he doth pretend, that the solicitations of the heir apparent of the Mogul, who he says did repeatedly and earnestly solicit him to obtain the permission to use the Company's troops for the purpose aforesaid, had weight with him; yet he doth declare, as he expresses himself in the Minute aforesaid, "that *a stronger impulse*, arising from the hope of *blasting the growth* of a general whose strength *might* become fatal to our own, strongly pleaded in my mind for supporting his wishes."

XXV. That the said Warren Hastings, after forcibly recommending the plan aforesaid, did state strong objections,  
E that

that did, " in his judgment, outweigh the advantages which  
 " might arise from a compliance with it." Yet the said  
 Hastings, being determined to pursue his scheme for aggran-  
 dizing, at any rate, the Mahratta power, in whose adult  
 growth, and the recent effects of it, he could see no danger,  
 did pursue the design of war against a nation or sect of reli-  
 gion in its infancy, from whom he had received no injury,  
 and in whose present state of government he did not appre-  
 hend any mischief whatsoever; and finding the Council fixed  
 and determined on not disbanding the frontier regiments, and  
 thinking that therein he had found an advantage, he did  
 ground thereon the following proposition.

" If the expence [of the frontier troops] is to be con-  
 " tinued, it may be surely better continued for some  
 " useful purpose, than to keep up the parade of a great  
 " military corps, designed merely to lie inactive in its  
 " quarters. On this ground therefore, and on the sup-  
 " position premised, I revert to my original sentiments in fa-  
 " vour of the Prince's plan; but as this will require some  
 " qualification in the execution of it, I will state my recom-  
 " mendation of it in the terms of a proposition, viz. That if  
 " it shall be the resolution of the Board to continue the de-  
 " tachment now under the command of Colonel Sir John  
 " Cumming at Furruckabad; and if the Prince Mirza Je-  
 " hander Shah shall apply, *with the authority of the King and*  
 " *the concurrence of Madajee Scindia*, for the assistance of an  
 " English military force to act in conjunction with him, to  
 " expel the Seiks from the territories of which they have late-  
 " ly possessed themselves in the neighbourhood of Delhi, it  
 " may be granted, and such a portion of the said detachment  
 " allotted to that service as shall be hereafter judged adequate  
 " to it."

XXVI. That the said Warren Hastings did, in the said  
 proposal, endeavour to circumvent and over-reach the Coun-  
 cil General, by converting an apparent and literal compliance  
 with their resolution into a real and substantial opposition to  
 and disappointment thereof. For his first proposal was to  
 withdraw the Company's troops from the Vizier's country,  
 on the pretence of relieving him from the burthen of that es-  
 tablishment, but in reality with a view of facilitating the  
 Mahratta pretensions on that province, which would then be  
 deprived of the means of defence. And when the Council  
 rejected the said proposal, on the express ground of danger to  
 the province, by withdrawing from the Mahrattas the re-  
 straint of our troops, the said Hastings, finding his first  
 scheme in favour of the Mahrattas, against the provinces de-  
 pendent on the Company, defeated by the refusal of the Coun-  
 cil to concur in the said measure of withdrawing the troops,  
 did

did then endeavour to obtain the same purpose in a different way ; and instead of leaving the troops, according to the intention and policy of the Council, as a check to the ambition and progress of the Mahrattas, he proposed to employ them in the actual furtherance of those schemes of aggrandizement, of which his colleagues were jealous, and which it was the object of their resolution to counteract.

XXVII. That in the whole of the letters, negotiations, proposals, and projects of the said Warren Hastings, relative to the Mogul, he did appear to pursue but one object, namely, the aggrandizement of the lately hostile and always dangerous power of the Mahrattas ; and did pursue the same by means highly dishonourable to the British character for honour, justice, candour, plain dealing, moderation, and humanity.

## No. XIX.

## Libel on the Court of Directors

I. **T**HAT Warren Hastings, Esquire, was, during the whole of the year 1783, a servant of the East India Company, and was bound by the duties of that relation, not only to yield obedience to the orders of the Court of Directors, but to give to the whole of their service an example of submission, reverence, and respect to their authority: And that if they should, in the course of their duty, call in question any part of his conduct, he was bound to conduct his defence with temper and decency! and while his conduct was under their consideration, it was not allowable to print and publish any of his letters to them, without their consent first had and obtained; and he was bound by the same principles of duty, enforced by still more cogent reasons, to observe, in a paper intended for publication, great modesty and moderation, and to treat the said Court of Directors, his lawful masters, with respect.

II. That the said Warren Hastings did print and publish, or cause to be printed and published, at Calcutta in Bengal, the narrative of his transactions at Benares, in a letter written at that place, without leave had of the Court of Directors, in order to pre-occupy the judgment of the servants in that settlement, and to gain from them a factious countenance and support, previous to the judgment and opinion of the Court of Directors, his lawful superiors.

III. That the Court of Directors having come to certain resolutions of fact relative to the engagements subsisting between them and the Rajah of Benares, and the manner in which the same had been fulfilled on the part of the Rajah, did, in the fifth resolution, which was partly a resolution of opinion, declare as follows: "That it appears to this Court, " that the conduct of the Governor General towards the Rajah, whilst he was at Benares, was improper; and that " the imprisonment of his person, thereby disgracing him in " the eyes of his subjects, and others, was unwarrantable, " and highly impolitic, and may tend to weaken the confidence which the native Princes of India ought to have in " the justice and moderation of the Company's government."

IV. That the said resolutions being transmitted to the said Warren Hastings, he, the said Warren Hastings, did write,



and cause to be written and published, a certain false, insolent, malicious, and seditious libel, purporting to be a letter from him, the said Warren Hastings, to the Court of Directors, dated Fort William, 20th March 1783, “calculated [as the Directors truly affirm] to bring contempt, as well as an odium, “on the Court of Directors, for their conduct on that occasion;” and the said libel had a direct tendency to excite a “spirit of disobedience to the lawful government of this nation in India, through all ranks of their service.”

V. That he, the said Warren Hastings, among other insolent and contumacious charges and aspersions on the Court of Directors, did address them in the printed letter aforesaid, as follows:—“I deny that Rajah Cheit Sing was a native “Prince of India. Cheit Sing is the son of a collector of “the revenue of that Province, which his arts, and the misfortunes of his master, enabled him to convert to a permanent and hereditary possession. This man, whom “*you have thus ranked among the Princes of India*, will be astonished, when he hears it, at an elevation so unlooked for; “nor less at the independent rights which *your commands* “have assigned him; rights which are so *foreign to his conceptions*, that I doubt whether he will know in what language to “assert them; unless the example which *you have thought it consistent with justice, however opposite to policy, to shew, of becoming his advocates against your own interests, should inspire “any of your own servants to be his advisers and instructors.*”—And he did further, to bring into contempt the authority of the Company, and to excite a resistance to their lawful orders, frame a supposition, that the Court of Directors had intended the restoration of the Rajah of Benares; and on that ground did presume, in the said libel, to calumniate, in disrespectful and contumelious terms, the policy of the Court of Directors, as well as the person whom he did conceive to be the object of their protection, as followeth:—“Of the consequences of “such a policy I forbear to speak. *Most happily, the wretch “whose hopes may be excited by the appearances in his favour, is “ill qualified to avail himself of them, and the force which is “stationed in the Province of Benares is sufficient to suppress any “symptoms of internal sedition; but it cannot fail to create “distrust and suspense in the minds of both the rulers and of “the people, and such a state is always productive of disorder. But it is not in this partial consideration that I dread “the effects of your commands, it is in your proclaimed indisposition against the first executive member of your first “government in India. I almost shudder at the reflection “of what might have happened, had these denunciations “against your own minister, in favour of a man universally* “con-

“ considered, in this part of the world, as justly attainted  
 “ for his crimes, the murderer of your servants and soldiers,  
 “ and the rebel to your authority, arrived two months  
 “ earlier.”

VI. That the said Warren Hastings did also presume to censure and asperse the Court of Directors for the moderate terms in which they had expressed their displeasure against him, as putting him under the necessity of stating in his defence a strong accusation against himself; and as implying in the said court a consciousness that he was not guilty of the offences charged upon him, being, as he asserts, in the resolutions of the Court of Directors, “ arraigned and pre-judged  
 “ of a violation of National Faith, in acts of such complicated  
 “ aggravation, that, if they were true, no punishment  
 “ *SHORT OF DEATH* could atone for the injury which  
 “ the interest and credit of the public had sustained in  
 “ them:” And he did therefore censure the said Court, for applying no stronger, or more criminating epithets, than those of “ improper, unwarrantable, and highly impolitic,” to an offence so by them charged, and by him described. And though it be true, that the expressions aforesaid are much too reserved for the purpose of duly characterising the offences of the said Hastings, yet was it in him most indecent to libel the Court of Directors for the same; and his Implication, from the tenderness of the epithets and descriptions aforesaid used towards him, was not only indecent, but ungrounded, malicious, and scandalous; he having himself highly, though truly, aggravated “ the charge of the injuries done by him to the Rajah of Benares,” in order to bring the said Directors into contempt and suspicion; the paragraphs in the said Libel being as follow: “ Here I must  
 “ crave leave to say, that the terms ‘ improper, unwarrantable, and highly impolitic,’ are much too gentle, as deductions from such premises; and as every reader of the  
 “ latter will obviously feel, as he reads, the deductions  
 “ which inevitably belong to them, I will add that the strict  
 “ performance of solemn engagements on one part, followed  
 “ by acts directly subversive of them, and by total dispossession, on the other, stamps on the perpetrators of the latter  
 “ the guilt of the greatest possible violation of faith and justice.”—“ There is an appearance of tenderness in this deviation from plain construction, of which, however meant, I  
 “ have a right to complain; because it imposes on me the necessity of framing the terms of the accusation against myself, which you have only not made, but have stated the  
 “ leading arguments to it so strongly, that no one who reads  
 “ these

“ these can avoid making it, or not know it to have been intended.”

VII. That the said Hastings, being well aware that his own declarations did contain the clearest condemnation of his own conduct from his own pen, did, in the said Libel, attempt to overturn, frustrate, and render of none effect, all the proofs to be given of prevarication, contradiction, and of opposition of action to principle, which can be used against men in public trust, and did contend that the same could not be used against him; and as if false assertions could be justified by factious motives, he did endeavour to do away the authority of his own *deliberate, recorded* declarations, entered by him *in writing* on the Council Books of the Presidency; for, after asserting, *but not attempting to prove*, that his declarations were consistent with his conduct, he writes in the said Libel as follows: For “ were it otherwise, they were not to be “ made the rules of my conduct; and God forbid that every “ expression dictated by the impulse of present emergency, and “ unpremeditatedly uttered in the heat of party contention, “ should impose upon me the obligation of a fixed principle, “ and be applied to every variable occasion.”

VIII. That the said Hastings, in order to draw the lawful dependence of the servants of the Company from the Court of Directors, to a factious dependence on himself; did, in the libel aforesaid, treat the acts and appointments of their undoubted authority, when exercised in opposition to his arbitrary will, as ruinous to their affairs, in the following terms: “ It is as well known to the Indian world, “ as to “ the Court of English Proprietors, that the first declaratory “ instruments of the dissolution of my influence, in the “ year 1774, were Mr. John Bristow and Mr. Francis “ Fowke: By your ancient and known constitution, the “ Governor has been ever held forth, and understood to possess the ostensible powers of government; all the correspondence with foreign Princes is conducted in his name: “ and every person resident with them for the management of “ your political concerns, is understood to be *more especially* “ *his* representative, and of *his* choice—and such ought to “ be the rule; for how otherwise can they trust an agent, nominated against the will of *his* principal? When the state “ of this administration was such as seemed to *admit of* the “ appointment of Mr. Bristow to the residency of Lucknow, “ without *much* diminution of *my own* influence, I gladly “ seized the occasion to shew my readiness to submit to your “ commands: I proposed his nomination; he was nominated, “ and declared to *be the Agent of my own choice*. Even this “ effect of my caution *is defeated by your absolute command for*   
 *his*

*“ his re-appointment independent of me, and with the supposition  
 “ that I should be adverse to it.---I am now wholly deprived of  
 “ my official powers, both in the province of Oude, and in  
 “ Zemindary of Benares.”*

IX. That, further to emancipate others and himself from due obedience to the Court of Directors, he did, in the Libel aforesaid, enhance his services; which, without specification or proof, he did suppose in the said Libel to be important and valuable, by representing them as done under their displeasure; and doth attribute his not having done more, to their opposition, as followeth:---“ It is now a complete period  
 “ of eleven years since I received the first nominal charge of  
 “ your affairs; in the course of it I have *invariably* had to  
 “ contend, not with ordinary difficulties, but such as most  
 “ *unnaturally* arose from the opposition of those very powers from  
 “ which I primarily derived my authority, and which were re-  
 “ quired for the support of it. My exertions, though applied  
 “ to an unwearied and consistent line of action, have been  
 “ occasional and desultory; yet I please myself with the hope,  
 “ that in the annals of your dominion, which shall be writ-  
 “ ten after the extinction of recent prejudices, this term of  
 “ its administration will appear not the least conducive to the  
 “ interests of the Company, nor the least reflective of the ho-  
 “ nour of the British name; and allow me to suggest the in-  
 “ structive reflection of *what good might have been done, and  
 “ what evil prevented, had due support been given to that admi-  
 “ nistration which has performed such eminent and substantial  
 “ services without it.”*

And the said Hastings, farther to render the authority of the said Court perfectly contemptible, doth, in a strain of exultation for his having escaped out of a measure, in which by his guilt he had involved the Company in a ruinous war, and out of which it had escaped by a sacrifice of almost all the territories before acquired (from that enemy which he had made) either by war, or former treaties, and by the abandoning the Company's allies to their mercy; attribute the said supposed services to his acting in such a manner as had on former occasions excited their displeasure, in the following words:

“ Pardon, Honourable Sirs, this digressive exultation;  
 “ I cannot suppress the pride which I feel in this successful  
 “ achievement of a measure so fortunate for your interests,  
 “ and the national honour; for that pride is the source of my  
 “ zeal, so frequently exerted in your support, and never more  
 “ happily than in those instances in which I have departed from  
 “ the prescribed and beaten path of action, and assumed a respon-  
 “ sibility which has too frequently drawn on me the most pointed  
 “ effects



“ *effects of your displeasure.* But however I may yield to my private feelings, in thus enlarging on the subject, my motive in introducing it was immediately connected with its context, and was to contrast *the actual state of your political affairs, derived from a happier influence, with that which might have attended an earlier dissolution of it:*” And he did value himself upon the *patience* and temper with which he had submitted to all the indignities which have been heaped upon him [meaning the said Court of Directors] in this long service: And he did insolently attribute to an unusual strain of zeal for their service, that he “ *persevered in the VIOLENT* “ **MAINTENANCE OF HIS OFFICE.**”

X. That in order further to excite the spirit of disobedience in the Company’s servants, to the lawful authority set over them, he, the said Warren Hastings, did treat contemptuously and ironically the supposed disposition of the Company’s servants to obey the orders of the Court of Directors, in the words following: “ The recal of Mr. Markham, who was known to be the public agent of my own nomination at Benares, and the re-appointment of Mr. Francis Fowke, by your order, contained in the same letter, would place it [the restoration of Cheit Sing] beyond a doubt.— “ *This order has been obeyed; and whenever you shall be pleased to order the restoration of Cheit Sing, I will venture to promise the same ready and exact submission in the other Members of the Council:*” And he did, in the postscript of the said letter, and as on recollection, endeavour to make a reparation of honour to his said colleagues, as if his expressions aforesaid had arisen from animosity to them, as follows: “ Upon a careful revision of what I have written, I fear that an expression which I have used respecting the probable conduct of the Board, in the event of orders being received for the restoration of Cheit Sing, may be construed as intimating a sense of dissatisfaction, applied to transactions already past.—It is not my intention to complain of any one.”

XI. That the said Hastings, in the acts of injury aforesaid to the Rajah of Benares, did assume and arrogate to himself an illegal authority therein, and did maintain that the acts done in consequence of that measure were not revocable by any subsequent authority, in the following words: “ If you should proceed to order the restoration of Cheit Sing to the Zemindary, from which, *by the powers which I legally possessed, and conceive myself legally bound to assert against any subsequent authority to the contrary, derived from the same source,* he was dispossessed for crimes of the greatest enormity, and your Council shall resolve to execute the order, “ I will instantly give up my station, and the service.”

XII. That the said Warren Hastings did attempt to justify his publication of the said libellous letter, to and against the Court of Directors, by asserting therein, that these Resolutions [meaning the Resolutions of the Court of Directors relative to the Rajah of Benares] "*were either published, or intended for publication;*" evidently proving, that he did take this unwarrantable course without any sufficient assurance that the ground and motive by him assigned, had any existence.

No. XX.

Maratta War, and Peace.

I. **T**HAT by an Act, passed in 1773, it was expressly ordered and provided, "That it should not be lawful for any President and Council of Madras, Bombay, or Bencoolen, for the time being, to make any orders for commencing hostilities, or declaring or making war, against any Indian princes or powers, or for negotiating or concluding any treaty of peace, or other treaty, with any such Indian princes or powers, without the consent and approbation of the Governor General and Council first had and obtained, except in such cases of *imminent necessity* as would render it dangerous to postpone such hostilities or treaties until the orders from the Governor General and Council might arrive."—That nevertheless the President and Council of Bombay did, in December 1774, without the consent and approbation of the Governor General and Council of Fort William, and in the midst of profound peace, commence an unjust and unprovoked war against the Marattá government; did conclude a treaty with a certain person, a fugitive from that government, and proscribed by it, named Ragonaut Row, or Ragoba; and did, under various base and treacherous pretences, invade and conquer the island of Salsette, belonging to the Maratta government.

II. That Warren Hastings, on the first advices received in Bengal of the above transactions, did condemn the same in the strongest terms; declaring that "the measures adopted by the Presidency of Bombay had a tendency to a very extensive and indefinite scene of troubles; and that their conduct was unseasonable, impolitic, unjust, and unauthorized."—And the Governor General and Council, in order to put a stop to the said unjust hostilities, did appoint an Ambassador to the Peshwa, or chief of the Maratta state, resident at Poona; and the said Ambassador did, after a long negotiation, conclude a definitive treaty of peace with the said Peshwa, on terms highly honourable and beneficial to the East India Company, who, by the said treaty, obtained from the Marattas a cession of considerable tracts of country, the Maratta share of the city of Broach, twelve lacks of rupees for the expence of the said unjust war, and particularly the island of Salsette, of which the Presidency of Bombay had

possessed themselves by surprize and treachery; that in return for these extraordinary concessions, the articles principally insisted on by the Marattas, with a view to their own future tranquility and internal quiet, were, that *no assistance should be given to any subject or servant of the Peshwa that should cause disturbances, or rebellion, in the Maratta dominions*, and particularly, that the English *should not assist Ragonaut Row*, to whom the Marattas agreed to allow five lacks of rupees a year, or a jaghyre to that amount, and that he should reside at Benares; that nevertheless, the Presidency of Bombay did receive and keep Ragonaut Row at Bombay, did furnish him with a considerable establishment, and continue to carry on secret intrigues and negociations with him, thereby giving just ground of jealousy and distrust to the Maratta states: That the late Colonel John Upton, by whom the treaty of Poorunder was negotiated and concluded, did declare to the Governor General and Council, "That while Ragonaut Row resides at Bombay, in expectation of being supported, the ministers can place no confidence in the Council there; which must now be productive of the greatest inconveniencies, and perhaps, in the end, of fatal consequences." That the said Warren Hastings, concurring with his Council, which then consisted of Sir John Clavering, Richard Barwell, and Philip Francis, Esquires, did, on the 18th of August 1777, declare to the Presidency of Bombay, that "he could see no reason to doubt that the presence of Ragoba at Bombay would continue to be an *insuperable bar* to the completion of the treaty concluded with the Maratta government, nor could any sincere cordiality and good understanding be established with them, as long as he should appear to derive encouragement and support from the English." That Sir John Clavering died soon after, and that the late Edward Wheler, Esquire, succeeded to a seat in the Supreme Council. That, on the 29th of January 1778, the Governor General and Council received a letter from the Presidency of Bombay, dated 12th of December 1777, in which they declared, "That they had agreed to give encouragement to a party formed in Ragoba's favour, and flattered themselves they should meet with the hearty concurrence of the Governor General and Council in the measures they might be obliged to pursue in consequence." That the party so described was said to consist of four principal persons in the Maratta state, on whose part *some overtures* had been made to Mr. William Lewis, the Resident of Bombay, at Poona, *for the assistance of the Company to bring Ragoba to Poona*. That the said Warren Hastings, immediately on the receipt of the preceding advices, did propose and carry it in Council, by means



means of his casting voice, and against the remonstrances, arguments, and solemn protest of two members of the Supreme Council, that the *sanction* of that government should be given to the plan which the President and Council of Bombay had agreed to form with the Maratta government; and also, that a supply of money (to the amount of ten lacks of rupees) should be immediately granted to the President and Council of Bombay, *for the support of their engagements above mentioned*; and also, that a military force should be sent to the Presidency of Bombay. That, in defence of these resolutions, the said Warren Hastings did falsely pretend and affirm, "that the resolution of the Presidency of Bombay was formed on such a case of *imminent necessity*, as would have rendered it dangerous to postpone the execution of it, until the orders from the Governor General and Council might arrive; and that the said Presidency of Bombay *were warranted, by the treaty of Poorunder*, to join in a plan for conducting Ragonaut Row to Poona, on the application of the ruling part of the Maratta state;" whereas the main object of the said treaty, on the part of the Marattas, and to obtain which they made many important concessions to the India Company, was, that the English should withdraw their forces, and give no assistance to Ragoba, and that he should be excluded for ever from any share in their government, being a person \* *universally held in abhorrence* in the Maratta empire; and if it had been true (instead of being, as it was, notoriously false) that the *ruling part* of the administration of the Maratta state solicited the return of Ragonaut Row to Poona, his return, in that case, might have been effected by acts of their own, without the interposition of the English power, and without our interference in their affairs. That it was the special duty of the said Warren Hastings, derived from a special trust reposed in him, and power committed to him by parliament, to have restrained, as by law he had authority to do, the subordinate Presidency of Bombay from entering into hostilities with the Marattas, or from making engagements, the manifest tendency of which was to enter into those hostilities, and to have put a stop to them, if any such had been begun. That he was bound by the duty of his office to preserve the faith of the British government, pledged in the treaty of Poorunder, inviolate and sacred, as well as by the special orders and instructions of the East India Company, *to fix his attention to the preservation of peace throughout India*; all which important duties the said Warren Hastings did wilfully violate, in giving the *sanction* of the Governor General and Council to the dan-

\* Vide Mr. Whetherstone's letter of the 24th December 1773. No 170.

gerous, faithless, and ill-concerted projects of the President and Council of Bombay, hereinbefore mentioned, from which the subsequent Maratta war, with all the expence, distress, and disgraces which have attended it, took their commencement; and that the said Warren Hastings therefore is specially and principally answerable for the said war, and for all the consequences thereof. That in a letter, dated the 20th of January 1778, the President and Council of Bombay informed the Governor General and Council, that, in consequence of later intelligence received from Poona, they had *immediately resolved that nothing further could be done, unless Saccaram Baboo, the principal in the treaty [of Poorunder] join in making a formal application to them.* That no such application was ever made by that person. That the said Warren Hastings, finding that all this pretended ground for engaging in an invasion of the Maratta government had totally failed, did then pretend to give credit to, and to be greatly alarmed by the suggestions of the President and Council of Bombay, that the Marattas were negotiating with the French, and had agreed to give them the port of Choul, on the Malabar coast, and did affirm that the French *had obtained possession of that port:* That all these suggestions and assertions were false; and, if they had been true, would have furnished no just occasion for attacking either the Marattas or the French, with both of whom the British nation was then at peace:—That the said Warren Hastings did then propose and carry the following resolution, in Council, against the protest of two members thereof, that, “For the purpose  
“ of granting you [the Presidency of Bombay] the most effectual support in our power, we have resolved to assemble  
“ a strong military force near Calpee, the commanding officer of which is to be ordered to march, by the most practicable route, to Bombay, or to such other place as future  
“ occurrences, and your directions to him, may render it expedient.” And with respect to the *steps* said to be taking *by the French to obtain a settlement on the Malabar coast,* the said Warren Hastings did declare to the Presidency of Bombay, “that it was the opinion of the Governor General and Council that no time ought to be lost in forming and carrying  
“ into execution such measures as might most effectually tend  
“ to frustrate such dangerous designs.”—That the said Warren Hastings therefore, instead of fixing his attention to the preservation of peace throughout India, as it was his duty to have done, did continue to abet, encourage and support the dangerous projects of the Presidency of Bombay, and did thereby manifest a determined intention to disturb the peace of India, by the unfortunate success of which intention, and by ~~the~~ continued efforts of the said Hastings, the greatest part of India

India has been for several years involved in a bloody and calamitous war. That both the Court of Directors and Court of Proprietors did specially instruct the said Warren Hastings, in all his measures, "to make the safety and prosperity of Bengal his principal object," and did heavily censure the said Warren Hastings for having employed their troops at a great distance from Bengal, in a war against the Rohillas, which the House of Commons have pronounced to be *iniquitous*\*, and did on that occasion expressly declare, "That they disapproved of all such distant expeditions, as might eventually carry their forces to any situation too remote to admit of their speedy and safe return to the protection of their own provinces, in case of emergency." That the said Warren Hastings nevertheless ordered a detachment from the Bengal army to cross the Jumna, and to proceed across the peninsula, by a circuitous route, through the Diamond country of Bundle Cund, and through the dominions of the Rajah of Berar, situated in the center of Hindostan, and did thereby strip the provinces subject to the government of Fort William of a considerable part of their established defence, and did thereby disobey the general instructions, and positive orders of the Court of Directors (given upon occasion of a crime of the same nature committed by the said Hastings) and was guilty of a high crime and misdemeanor.

That the said Warren Hastings, having taken the measures hereinbefore described for supporting those of the Presidency of Bombay, did, on the 23d of March 1778, "invest the said Presidency with authority to form a new alliance with Ragoba, and to engage with him in any scheme which they should deem expedient and safe for retrieving his affairs." That the said Hastings was then in possession of a letter from the Court of Directors, dated the 4th of July 1777, containing a positive order to the Presidency of Bombay, in the following words: "Though that treaty [meaning the treaty of Poorundur] is not, upon the whole, so agreeable to us as we could wish, still we are resolved strictly to adhere to it on our parts. You must therefore be particularly vigilant, while Ragoba is with you, to prevent him from forming any plan against what is called the ministerial party at Poona; and we hereby positively order you not to engage with him in any scheme whatever in retrieving his affairs, without the consent of the Governor General and Council, or the Court of Directors." That the said Ragoba neither did or could form any plan for his restoration, but what was and must be against the ministerial party at Poona,

\* 28th of May 1782; 15th December 1775.

who held and exercised the regency of that state in the infancy of the Peshwa; and that, supposing him to have formed any other *scheme*, in conjunction with Bombay, *for retrieving his affairs*, the said Hastings, in giving a previous *general* authority to the Presidency of Bombay to engage with Ragoba in *any* scheme for that purpose, without knowing what such scheme might be, and thereby relinquishing and transferring to the discretion of a subordinate government, that superintendence and controul over all measures tending to create or provoke a war, which the law had exclusively vested in the Governor General and Council, was guilty of a high crime and misdemeanor. That the said Warren Hastings, having first declared that the measures taken by him were for the support of the engagements made by the Presidency of Bombay, in favour of Ragoba, did afterwards, when it appeared that those negotiations were *entirely laid aside*, declare that his apprehension of the consequence of a pretended *intrigue* between the Marattas and the French, *was the sole motive of all the late measures taken for the support of the Presidency of Bombay*; but that neither of the preceding declarations contained the true motives and objects of the said Hastings, whose real purpose, as it appeared soon after, was to make use of the superiority of the British power in India, to carry on offensive wars, and to pursue schemes of conquest, impolitic and unjust in their design, ill-concerted in the execution, and which, as this House has resolved, *have brought great calamities on India, and enormous expences on the East India Company*. That the said Warren Hastings, on the 22d of June 1778, made the following declaration in Council: "Much less can  
 " I agree that, with such superior advantages, as we possess  
 " over every power which can oppose us, we should act  
 " *merely on the defensive*. On the contrary, if it be really true  
 " that the British arms and influence have suffered so severe a  
 " check in the Western world, it is more incumbent on those,  
 " who are charged with the interests of Great Britain in the  
 " East, *to exert themselves for the retrieval of the national loss*.  
 " We have the means in our power, and, if they are not  
 " frustrated by our own dissensions, I trust that the event of  
 " this expedition will yield every advantage, *for the attainment of which it was undertaken*." That, in pursuance of the principles avowed in the preceding declaration, the said Warren Hastings, on the 9th of July 1778, did propose, and carry it in Council, that an embassy should be sent from Bengal to Moodajee Boosla, the Rajah of Berar, falsely asserting, that the said Rajah "was, by interest and inclination, likely to join in an alliance with the British Government; and suggesting that two advantages might be  
 " offered



“ offered to him, as the inducements to it; first, the support  
 “ of his pretensions to the sovereign power [viz. of the Ma-  
 “ ratta empire]; second, the recovery of the captures made  
 “ on his dominions by Nizam Ally.” That the said Hastings, having already given full authority to the Presidency of Bombay to engage the British faith to Ragonaut Row, to support him in *his* pretensions to the government or to the regency of the Maratta empire, was guilty of a high crime and misdemeanor, in proposing to engage the same British faith to support the pretensions of another competitor for the same object; and that in offering to assist the Rajah of Berar to recover the captures made on his dominions by the Nizam, the said Hastings did endeavour, as far as depended on him, to engage the British nation in a most unjust and utterly unprovoked war against the said Nizam, between whom and the East India Company a treaty of peace and friendship did then subsist, unviolated on his part; notwithstanding the said Hastings well knew that it made part of the East India Company’s fundamental policy to support that Prince against the Marattas, and to *consider him as one of the few remaining chiefs, who were yet capable of coping with the Marattas*, and that it was the Company’s *true interest to preserve a good understanding with him*. That, by holding out such offers to the Rajah of Berar, the said Hastings professed to hope that the Rajah *would ardently catch at the objects presented to his ambition*; and although the said Hastings did about this time lay it down as a maxim, *that there is always a greater advantage in receiving solicitations than in making advances*, he nevertheless declared to the said Rajah, *that in the whole of his conduct he had departed from the common line of policy, and had made advances where others, in his situation, would have waited for solicitation*; that the said unjust and dangerous projects did not take effect, because the Rajah of Berar refused to join or be concerned therein; yet so earnest was the said Hastings for the execution of those projects, that, in a subsequent letter, he daringly and treacherously assured the Rajah, “ that, if he had accepted of the terms offered him by Colonel Goddard, and concluded a treaty with the government of Bengal upon them, he should have held the obligation of it superior to that of any engagement formed by the government of Bombay, and should have thought it his duty to maintain it, &c. against every consideration, *even of the most valuable interests and safety of the English possessions intrusted to his charge*.” That all the offers of the said Hastings were rejected with slight and contempt by the Rajah of Berar; but the same being discovered and generally known throughout India, did fill the chief of the Princes and States of India with a general suspicion and

distrust of the ambitious designs and treacherous principles of the British Government, and with an universal hatred of the British nation; that the said Princes and States were thereby so thoroughly convinced of the necessity of uniting amongst themselves to oppose a power which kept no faith with any of them, and equally threatened them all, that, renouncing all former enmities against each other, they united in a common confederacy against the English; viz. the Peshwa, as Representative of the Maratta State, and Moodajee Boosla, the Rajah of Berar, that is, the principal Hindoo powers of India, on one side; and Hyder Ally, and the Nizam of the Decan, that is, the principle Mahomedan powers of India, on the other, and that in consequence of this confederacy Hyder Ally invaded, over-ran, and ruined the Carnatic; and that Moodajee Boosla, instead of ardently catching at the objects presented to his ambition by the said Hastings, sent an army to the frontiers of Bengal; which army the said Warren Hastings was at length forced to buy off with twenty-six lacks of rupees, or 300,000l. sterling, after a series of negociations with the Maratta chiefs who commanded that army, founded and conducted on principles so dishonourable to the British name and character, that the Secret Committee of the House of Commons, by whom the rest of the proceedings in that business were reported to the House, *have, upon due consideration, thought it proper to leave out the letter of instructions to Mr. Anderson*, viz. those given by the said Warren Hastings to the Representative of the British Government; and concerning which the said Committee have reported in the following terms:—"The schemes of policy by which the Governor General seems to have dictated the instructions he gave to Mr. Anderson [the gentleman deputed] will also appear in this document, as well respecting the particular succession to the Rauje, as also the mode of accommodating the demand of *Chout*, the establishment of which was apparently the great aim of Moodajee's political manœuvres, while the Governor General's wish to defeat it was avowedly more intent on the removal of a nominal disgrace, than on the anxiety or resolution to be freed from an expensive, if an unavoidable incumbrance."

That while the said Warren Hastings was endeavouring to persuade the Rajah of Berar to engage with him in a scheme to place the said Rajah at the head of the Maratta empire, the Presidency of Bombay, by virtue of the powers specially vested in them for that purpose by the said Hastings, did really engage with Ragonaut Row, the other competitor for the same object, and sent a great part of their military force established for the defence of Bombay on an expedition with

Rago-

Ragonaut Row, to invade the dominions of the Peshwa, and to take Poona, the capital thereof; that this army being surrounded and overpowered by the Marattas was obliged to capitulate; and then, through the moderation of the Marattas, was permitted to return quietly, but *very disgracefully*, to Bombay. That, supposing the said Warren Hastings could have been justified in abandoning the project of reinstating Ragonaut Row, which he at first authorised, and promised to support, and in preferring a scheme to place the Rajah of Berar at the head of the Maratta empire, he was bound by his duty, as well as in justice to the Presidency of Bombay, to give that Presidency timely notice of such his intention, and to have restrained them positively from resuming their own project: That, on the contrary, the said Warren Hastings did, on the 17th of August 1778, again *authorize* the said Presidency “to assist Ragoba with a military force to conduct him to Poona, and to establish him in the Regency there;” and, so far from communicating his change of plan to Bombay, did keep it concealed from that Presidency; insomuch that, even so late as the 19th of February 1779, William Hornby, then Governor of Bombay, declared in Council his total ignorance of the schemes of the said Hastings, in the following terms; “The schemes of the Governor General and Council, with regard to the Rajah of Berar, *being yet unknown to us*, it is impossible for us to found any measures on them; yet I cannot help now observing, that if, as has been conjectured, the gentlemen of that Presidency have entertained thoughts of restoring, in his person, the ancient Rajah Government, the attempt seems likely to be attended with no small difficulty.” That whereas the said Warren Hastings did repeatedly affirm, that it was his intention to support the plan formed by the Presidency of Bombay in favour of Ragoba, and did repeatedly authorize and encourage them to pursue it, he did, nevertheless, at the same time, in his letters and declarations to the Peshwa, to the Nizam, and to the Rajah of Berar, *falsely and perfidiously affirm, that it never was nor is designed by the English chiefs to give support to Ragonaut Row; that he, Hastings, had no idea of supporting Ragonaut Row; and that the detachment he had sent to Bombay was solely to awe the French, without the least design to assist Ragonaut Row*: That, supposing it to have been the sole *professed* intention of the said Hastings, in sending an army across India, to protect Bombay against a French invasion, even that pretence was false, and used only to cover the real design of the said Hastings: viz. to engage in projects of war and conquest with the Rajah of Berar. That on the 11th of October 1778, he informed the said Rajah, “that the detachment

“ would soon arrive in his territories, and depend on him, “ Moodajee Boosla, for its subsequent operations:” That on the 7th of December 1778, the said Hastings revoked the powers he had before given \* to the Presidency of Bombay, over the detachment, declaring, that the event of Colonel Goddard’s negociation with the Rajah of Berar *was likely to cause a very speedy and essential change in the design and operations of the detachment*; and that, on the 4th of March 1779, the said Hastings, immediately after receiving advice of the defeat of the Bombay army near Poona, and when Bombay, if at any time, particularly required to be protected against a French invasion, did declare in Council, that he *wished for the return of the detachment to Berar, and dreaded to hear of its proceeding to the Malabar coast*; and therefore, if the said Hastings did not think that Bombay was in danger of being attacked by the French, he was guilty of repeated falsehoods in affirming the contrary, for the purpose of covering a criminal design; or, if he thought that Bombay was immediately threatened with that danger, he then was guilty of treachery, in ordering an army, necessary on that supposition to the immediate defence of Bombay, to halt in Berar, to depend on the Rajah of Berar for its subsequent operations, or on the event of a negociation with that Prince; which, as the said Hastings declared, *was likely to cause a very speedy and essential change in the design and operations of the detachment*; and finally, in declaring, that he *dreaded to hear of the said detachment’s proceeding to the Malabar coast*, whither he ought to have ordered it to proceed without delay, if, as he has solemnly affirmed, it was true that *he had been told, by the highest authority, that a powerful armament had been prepared in France, the first object of which was an attack upon Bombay; and that he knew, with moral certainty, that all the powers of the adjacent Continent were ready to join the invasion.*

That through the whole of these transactions, the said Warren Hastings has been guilty of continued falsehood, fraud, contradiction, and duplicity, highly dishonourable to the character of the British nation; that in consequence of the unjust and ill-concerted schemes of the said Hastings, the British arms, heretofore respected in India, have suffered repeated disgraces, and great calamities have been thereby brought upon India; and that the said Warren Hastings, as well in exciting and promoting the late unprovoked and unjustifiable war against the Marattas, as in the conduct thereof, has been guilty of sundry high crimes and misdemeanors.

\* On the 15th of November.

That



That by the definitive treaty of peace concluded with the Mahrattas at Poorunder on the 1st of March 1776, the Mahrattas gave up all right and title to the Island of Salsette, unjustly taken from them by the presidency of Bombay; did also give up to the English Company for ever all right and title to their entire shares of the city and Pargunna of Broach; did also give for ever to the English Company a country of three lacks of Rupees revenue, near to Broach; and did also agree to pay to the Company twelve lacks of Rupees, in part of the expences of the English army; and that the terms of the said treaty \* *were honourable and advantageous to the India Company.*

That Warren Hastings having broken the said treaty, and forced the Mahrattas into another war, by a repeated invasion of their country, and having conducted that war in the manner herein before described, did, on the 17th of May 1782, by the agency of Mr. David Anderson, conclude another treaty of perpetual friendship and alliance with the Mahrattas, by which the said Hastings agreed to deliver up to them all the countries, places, cities, and forts, particularly the Island of Bassein (taken from the Peshwa, during the war) and to relinquish all claim to the country of three lacks of rupees, ceded to the Company by the treaty of Poorunder: That the said Warren Hastings did also, at the same time, by a private and separate agreement, deliver up to Madajee Scindia the whole of the city of Broach; that is, not only the share in the said city which the India Company acquired by the treaty of Poorunder, but the other share thereof, which the India Company possessed for several years before that treaty; and that, among the reasons assigned by Mr. David Anderson for totally stripping the presidency of Bombay of all their possessions on the Malabar coast, he has declared that “from the general tenor of the *rest* of the treaty, the settlement of Bombay would be in future put on such a footing, that it might well become a question whether the possession of an inconsiderable territory, without forts, would not be attended with more loss than advantage, as it must necessarily occasion considerable expence, must require troops for its defence, and might probably in the end lead, as Scindia apprehended, to a renewal of war.”

That the said Warren Hastings having in this manner put an end to a war commenced by him without provocation, and continued by him without necessity, and having for that purpose made so many sacrifices to the Mahrattas, in points

\* Resolution of the House of Commons, 28th May 1782.

of essential interest to the India Company, did consent and agree to other articles utterly dishonourable to the British name and character, having sacrificed or abandoned every one of the native princes, who, by *his* solicitations and promises had been engaged to take part with us in the war; and that he did so without necessity, since it appears that Scindia, the Mahratta Chief who concluded the treaty, *in every part of his conduct manifested a hearty desire of establishing a peace with us*; and that this was the disposition of all the parties in the Mahratta confederacy, who were only kept together by a general dread of their common enemy, the English, and who only waited for a cessation of hostilities with us to return to their habitual and permanent enmity against each other. That the Governor General and Council, in their letter of 31st August 1781, made the following declaration to the Court of Directors: "The Mahrattas have demanded the sacrifice of the person of Ragonaut Row, the surrender of the Fort and territories of Ahmedabad, and of the Fortress of Gualior, *which are not ours to give, and which we could not wrest from the proprietors, without the greatest violation of public faith.* No state of affairs, in our opinions, could warrant our acquiescence to such requisition; and we are morally certain, that had we yielded to them, such a consciousness of the state of our affairs would have been implied, as would have produced an effect the very reverse from that for which it was intended, by raising the presumption of the enemy to exact yet more *ignominious* terms, or perhaps their refusal to accept of any; nor, in our opinion, would they have failed to excite in others the same belief, and the consequent decision of all parties against us, as the natural consequences of our decline." That the said Hastings himself, in his instructions to Mr. David Anderson, after authorizing him to restore *all* that we had conquered during the war, expressly "*excepted Ahmedabad, and the territory conquered for Futtty Sing Gwicowar.*" That nevertheless the said Hastings, in the peace concluded by him, has yielded to every one of the conditions reprobated in the preceding declarations, as *ignominious*, and incompatible with public faith.

That the said Warren Hastings did abandon the Rana of Gohud, in the manner already charged; and that the said Rana has not only lost the Fort of Gualior, but all his own country and is himself a prisoner.—That the said Hastings did not interpose to obtain any terms in favour of the Nabob of Bopaul,

Bopaul, who was \* *with great reason desirous of concealing from the Mahrattas the attachment he had borne to the English Government*; the said Nabob having a just dread of the danger of being exposed to the resentment of the Mahrattas, and no dependence on the faith and protection of the English. That by the 9th Article of the treaty with Futtu Sing, it was stipulated, that when a negociation for peace should take place, his interest should be primarily considered; and that Mr. David Anderson, the Minister and Representative of the Governor General and Council, did declare to Scindia, that it was indispensably incumbent on us to support Futtu Sing's rights.

That nevertheless every acquisition made for or by the said Futtu Sing, during the war, particularly *the Fort and territories of Ahmedabad*, were given up by the said Hastings: That Futtu Sing was replaced under the subjection of the Peshwa, (whose resentment he had provoked by taking part with us in the war) and under an obligation to pay a tribute, not specified, to the Peshwa, and to perform such services, and to be subject to such obedience, *as had long been established and customary*; and that, no limit being fixed to such tribute or services, the said Futtu Sing has been left wholly at the mercy of the Mahrattas.

That with respect to Ragoba, the said Hastings, in his instructions to Mr. Anderson, dated 4th of November 1781, contented himself with saying, "We cannot *totally* abandon the interests of Ragonaut Row. Endeavour to obtain for him an adequate provision."—That Mr. Anderson declared to Madajee Scindia †, "that as we had given Ragoba protection as an independent prince, and not brought him into our settlement as a prisoner, we could not in honour pretend to impose the *smallest* restraint on his will, and he must be at liberty to go wherever he pleased; that it must rest with Scindia himself to prevail on him to reside in his country; all that we could do was to agree, after a reasonable time, to *withdraw our protection from him, and not to insist on payment of the stipend to him*, as Scindia had proposed, unless on the condition of his residing in some part of Scindia's territories."

That, notwithstanding all the preceding declarations, and in violation of the public faith repeatedly pledged to Ragoba, he was totally abandoned by the said Hastings in the treaty, no provision whatever being made even for his subsistence, but on a condition to which he could not submit, without

\* Anderson's Letter of 26th January 1782.

† Anderson's Letter of 24th February 1782.

the certain loss of his liberty, and probable hazard of his life; namely, *that he should voluntarily, and of his own accord, repair to Scindia, and quietly reside with him.* That such treacherous desertion of the said Ragoba is not capable of being justified by any plea of necessity; but that in fact no such necessity existed; since it appears that the Nizam, who, of all the contracting parties in the confederacy, was personally most hostile to Ragoba, did himself *propose that Ragoba might have an option given him* of residing within the Company's territories.—That the plan of negotiating a peace with the Mahrattas, by application to Scindia, and through his mediation, was earnestly recommended to the said Hastings by the Presidency of Bombay, so early as in February 1779, who stated clearly to him the reasons why such application ought to be made to Scindia, in preference to any other of the Mahratta Chiefs, and why it would probably be successful; the truth and justice of which reasons were fully evinced in the issue, when the said Hastings, after incurring, by two years delay, all the losses and distresses of a calamitous war, did actually pursue that very plan with much less effect or advantage than might have been obtained at the time the advice was given. That he neglected the advice of the Presidency of Bombay, and retarded the peace, as well as made its conditions worse, from an obstinate attachment to his project of alliance offensive and defensive with the Raja of Berar, the object of which was rather a new war, than a termination of the war then existing against the Peshwa.

That the said Hastings did farther embarrass and retard the conclusion of a peace, by employing different Ministers at the Courts of the several Confederate Powers, whom he severally empowered to treat and negotiate a peace.—That these Ministers not acting in concert, not knowing the extent of each others commissions, and having no instructions to communicate their respective proceedings to each other, did in effect counteract their several negotiations.—That this want of concert and of simplicity, and the mystery and intricacy in the mode of conducting the negotiation on our part, was complained of by our Ministers as embarrassing and disconcerting to us, while it was advantageous to the adverse party, who were thereby furnished with opportunity and pretence for delay, when it suited their purpose; and enabled to play off one set of negotiators against another: That it also created jealousy and distrust in the various contending parties, with whom we were treating at the same time and to whom we were obliged to make contradictory professions, while it betrayed and exposed to them all our  
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own eagerness and impatience for peace; raising thereby the general claims and pretensions of the enemy. That while Dalhousie Watherston, Esquire, was treating at Poonah, and David Anderson, Esquire, in Scindia's camp, with separate powers applied to the same object, the Minister at Poonah informed the said Watherston, that he had received proposals for peace from the Nabob of Arcot, with the approbation of Sir Eyre Coote; that he returned other proposals to the said Nabob of Arcot, who had assured him (the Minister) that those proposals *would be acceded to, and that Mr. Macpherson would set out for Bengal, after which orders should be immediately dispatched from the Honourable the Governor General and Council to the effect he wished.* That the said Nabob "had promised to obtain and forward to him the expected orders from Bengal in fifteen days, - and that he was therefore every instant in expectation of their arrival; and observed that, when General Goddard proposed to send a confidential person to Poonah, he conceived that those orders must have actually reached him:" That therefore the treaty, formally concluded by David Anderson, was in effect and substance the same with that offered, and in reality concluded by the Nabob of Arcot, with the exception only of Salfette, which the Nabob of Arcot had agreed to restore to the Mahrattas. That the intention of the said Warren Hastings, in pressing for a peace with the Mahrattas, on terms so dishonourable, and by measures so rash and ill-concerted, was not to restore and establish a general peace throughout India, but to engage the India Company in a new war against Hyder Ally, and to make the Mahrattas parties therein. That the eagerness and passion with which the said Hastings pursued this object, laid him open to the Mahrattas, who depended thereon for obtaining whatever they should demand from us. --- That in order to carry the point of an offensive alliance against Hyder Ally, the said Hastings exposed the negotiation for peace with the Mahrattas to many difficulties and delays. That the Mahrattas were bound by a clear and recent engagement, which Hyder had never violated in any article, to make no peace with us which should not include him; that they pleaded the sacred nature of this obligation in answer to all our requisitions on this head, while the said Hastings, still importunate for his favourite point, suggested to them various means of reconciling a substantial breach of their engagement with a formal observance of it, and taught them how they might at once be parties in a peace with Hyder Ally, and in an offensive alliance for immediate hostility against him. That these lessons of public duplicity and artifice, and these devices of ostensible faith and real treachery,

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could have no effect but to degrade the national character, and to inspire the Mahrattas themselves, with whom we were in treaty, with a distrust in our sincerity and good faith.— That the object of this fraudulent policy (viz. the utter destruction of Hyder Ally, and a partition of his dominions) was neither wise in itself, or authorized by the orders and instructions of the Company to their servants; that it was incompatible with the treaty of peace, in which Hyder Ally was included, and contrary to the repeated and best understood injunctions of the Company; being in the first place a bargain for a new war, and in the next aiming at an extension of our territory by conquest. That the best and soundest political opinions, on the relations of these states, have always represented our great security against the power of the Mahrattas to depend on its being balanced by that of Hyder Ally; and the Mysore country is so placed as a barrier between the Carnatic and the Mahrattas, as to make it our interest rather to strengthen and repair that barrier, than to level and destroy it. That the said treaty of partition does express itself to be *eventual* with regard to the making and keeping of peace; but through the whole course of the said Hastings's proceeding, he did endeavour to prevent any peace with the Sultan or Nabob of Mysore, Tippu Saheb, and did for a long time endeavour to frustrate all the methods which could have rendered the said treaty of conquest and partition wholly unnecessary.

That the Marattas having taken no effectual step to oblige Hyder Ally to make good the conditions for which they had engaged in his behalf, and the war continuing to be carried on in the Carnatic by Tippoo Sultan, son and successor of Hyder Ally, the Presidency of Fort St. George undertook, upon their own authority, to open a negotiation with the said Tipoo; which measure, though indispensably necessary, the said Hastings utterly disapproved and discountenanced, expressly denying that there was any ground or motive for entering into any direct or separate treaty with Tippoo; and not consenting to or authorizing any negotiation for such treaty, until after a cessation of hostilities had been brought about with him by the Presidency of Fort St. George, in August 1773, and the Ministers of Tippoo had been received and treated with by that Presidency, and Commissioners, in return, actually sent by the said Presidency to the court of Poonah; which late and reluctant consent and authority were extorted from him, the said Hastings, in consequence of the acknowledgment of his Agent at the Court of Madajee Scindia (upon whom the said Warren Hastings had depended for enforcing the clauses of the Maratta Treaty) of the precariousness

cariousness of such dependance, and of the necessity of that direct and seporate Treaty with Tippoo, so long and so lately reprobated by the said Warren Hastings, notwithstanding the information and intreaties of the Presidency of Fort St. George, as well as the known distresses and critical situation of the Company's affairs.---That, though the said Warren Hastings did at length give instructions for negociating and making peace with Tippoo; expressly adding, that those instructions extended to *all* the points which occurred to *him or them* as capable of being agitated or gained upon the occasion---though the said instructions were sent after the said Commissioners by the Presidency of Fort St. George, with directions to obey them; though not only the said instructions were obeyed, but advantages gained which did not occur to the said Warren Hastings;---though the said peace formed a contrast with the Mahratta peace, in neither ceding any territory possessed by the Company before the war, or delivering up any dependant or ally to the vengeance of his adversaries, but providing for the restoration of all the countries that had been taken from the Company and their allies; though the Supreme Council of Calcutta, forming the legal government of Bengal in the absence of the said Warren Hastings, ratified the said treaty. Yet the said Warren Hastings, then absent from the seat of government, and out of the Province of Bengal, and forming no legal or integral part of the government during such absence, did, after such ratification, usurp the power of acting as a part of such government (as if actually sitting in Council with the other members of the same) in the consideration and unqualified censure of the terms of the said peace. That the Nabob of Arcot, with whom the said Hastings did keep up an unwarrantable, clandestine correspondence, without any communication with the Presidency of Madras, wrote a letter of complaint, dated the 27th of March 1784, against the Presidency of that place, without any communication thereof to the said Presidency, the said complaint being addressed to the said Warren Hastings, the substance of which complaint was, that he (the Nabob) had not been made a party to the late treaty: And although his interest had been sufficiently provided for in the said treaty, the said Warren Hastings did sign a declaration on the 23d of May, at Lucknow, forming the basis of a new article, and making a new party to the treaty, after it had been, by all parties, (the Supreme Council of Calcutta included) completed and ratified, and did transmit the said new stipulation to the Presidency at Calcutta, solely for the purposes, and at the instigation, of the Nabob of Arcot; and

the said declaration was made without any previous communication with the Presidency aforesaid, and in consequence thereof orders were sent by the Council at Calcutta to the Presidency of Fort St. George, *under the severest threats in case of disobedience*; which orders, whatever were their purport, would, as an undue assumption of, and participation in, the government from which he was absent, become a high misdemeanor; but, being to the purport of opening the said treaty, after its solemn ratification, and proposing a new clause and a new party to the same, was also an aggravation of such misdemeanor, as it tended to convey to the Indian powers an idea of the unsteadiness of the councils and determinations of the British government, and to take away all reliance on its engagements; and as, above all, it exposed the affairs of the nation and the Company to the hazard of seeing renewed all the calamities of war, from whence, by the conclusion of the treaty they had emerged, and upon a pretence so weak as that of proposing the Nabob of Arcot to be a party to the same, though he had not been made a party by the said Warren Hastings in the Maratta treaty, which professed to be for the relief of the Carnatic;—though he was not a party to the former treaty with Hyder, also relative to the Carnatic;—though it was not certain whether, if the treaty were once opened, and that even Tippoo should then consent to that Nabob's being a party, whether he (the said Nabob) would agree to the clauses of the same, and, consequently, whether the said treaty, once opened, could afterwards be concluded—an uncertainty, of which he, the said Hastings, should have learned to be aware, having already once been disappointed by the said Nabob's refusing to accede to a treaty which he, the said Warren Hastings, made for him with the Dutch about a year before.

That the said Warren Hastings having broken a solemn and honourable treaty of peace, by an unjust and unprovoked war, having neglected to conclude that war, when he might have done it without loss of honour to the nation, having plotted and contrived, as far as depended on him, to engage the India Company in another war, as soon as the former should be concluded; and having at last put an end to a most unjust war against the Marattas by a most ignominious peace with them in which he sacrificed objects essential to the interests and submitted to conditions utterly incompatible with the honour of this nation, and with his own declared sense of the dishonourable nature of those conditions; and having endeavoured to open anew the Treaty concluded with Tippoo Sultan through the means of the Presidency of Fort St. George,

upon



# ARTICLE XX. 61

upon principles of justice and honour, and which established peace in India; and thereby exposing the British possessions there to the renewal of the dangers and calamities of war---has, by these several acts, been guilty of sundry high crimes and misdemeanors.

No. XXI.

## No. XXI.

## CORRESPONDENCE.

**T**HAT by an Act of the 13th year of his present Majesty, intituled, "An Act for establishing certain regulations for the better management of the affairs of the East India Company, as well in India as in Europe." The Governor General and Council are required and directed to pay due obedience to all such orders as they shall receive from the Court of Directors of the said United Company, and to correspond from time to time, and constantly and diligently transmit to the said Court, an exact particular of all advices or intelligence, and of all transactions and matters whatsoever that shall come to their knowledge, relating to the government, commerce, revenues, or interest of the said United Company."

That in consequence of the above-recited Act, the Court of Directors, in their General Instructions of the 29th of March 1774, to the Governor General and Council, did direct, "That the correspondence with the Princes or country powers in India, should be carried on through the Governor General only; but that all letters to be sent by him should be first approved in Council, and that he should lay before the Council, at their next meeting, all letters received by him in the course of such correspondence, for their information."

And the Governor General and Council were therein further ordered, "That, in transacting the Business of their department, they should enter, with the utmost perspicuity and exactness, all their proceedings whatsoever; and all dissents, if such should at any time be made by any member of their Board, together with all letters sent or received in the course of their correspondence; and that broken sets of such proceedings, to the latest period possible, be transmitted to them (the Court of Directors) a compleat set at the end of every year, and a duplicate by the next conveyance."

That in defiance of the said orders, and in breach of the above-recited Act of Parliament, the said Warren Hastings has, in sundry instances, concealed from his Council the correspondence carried on between him and the Princes or country powers in India, and neglected to communicate the advices  
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and intelligence he from time to time received from the British residents at the different Courts in India to the other Members of the government ; and without their knowledge, counsel, or participation, has dispatched orders on matters of the utmost consequence to the interests of the Company.

That moreover, the said Warren Hastings, for the purpose of covering his own improper and dangerous practices from his employers, has withheld from the Court of Directors, upon sundry occasions, copies of the proceedings had, and the correspondence carried on by him in his official capacity, as Governor General, whereby the Court of Directors have been kept in ignorance of matters which it highly imported them to know, and the affairs of the Company have been exposed to much inconvenience and injury.

That in all such concealments and acts done or ordered without the consent and authority of the Supreme Council, the said Warren Hastings has been guilty of high crimes and misdemeanors.

THE END.

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